

JOURNAL
OF THE
S E N A T E
OF THE
STATE OF ALABAMA

REGULAR SESSION OF 1949

**HELD IN THE CITY OF MONTGOMERY, COMMENCING
TUESDAY, MAY 3, 1949**



Vol. II

**WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE**

**Brown Printing Co.
Printers—Binders
Montgomery, Alabama**

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION OF 1949

TWENTY-FOURTH LEGISLATIVE DAY

FRIDAY, JULY 22, 1949

The Senate met pursuant to adjournment, Lieutenant Governor Inzer presiding.

PRAYER

The session was opened with prayer by Rev. T. A. Russell, Pastor, Cloverdale Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Fite	Hooton	Owens
Allen	Gaither	Howle	Patterson
Barrett	Glover	Hughes	Patton
Boutwell	Golson	Kendall	Perry
Bridges	Gulledge	Kimbrell	Quarles
Burnside	Hardwick	Lamberth	Russell
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright
Coleman			

—32

JOURNAL

On motion of Mr. Hardwick, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 297. To amend Section 125 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 298. To amend Section 130 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 299. To amend Section 424 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 300. To amend Section 429 of Title 51 of the Code of Alabama (1940), as amended, which relates to payment and distribution of tax.

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 301. To amend Section 441 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 302. To amend Section 632 of Title 51 of the Code of Alabama (1940), as amended, which relates to the disposition of tax.

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 304. To amend Section 655 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 306. To amend Section 739 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 307. To amend Section 784 of Title 51 of the Code of Alabama (1940), as amended, which relates to the distribution of revenues from tax.

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 308. To amend Section 808 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 311. To amend Section 12 of Act No. 590, H. 392, approved June 27, 1940, (General Acts, 1939, p. 958), which levies an excise tax on diesel oil, tractor fuel, gas oil, distillate, and liquefied gas.

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 312. To amend Section 7 of Act No. 2, H. 47, approved May 19, 1945, (General Acts, 1945, p. 20), which levies a privilege tax upon persons engaging in the business of producing or severing oil or gas or other hydrocarbons from the soils or waters.

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 313. To amend Section 629 of Title 51, as amended, which relates to the expenses of administering store licenses.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Stone:

H. 441. Relating to the organization, powers, functions and duties of the State Department of Conservation amending Sections 5, 8, 9, 10, 11, 15, 17, 125, 173 and 184 of Title 8, 1940 Code of Alabama.

Also:

By Mr. Lovelace:

H. 697. To Provide for the assessment of Solicitor's fees as a part of the costs of appeals from judgments rendered in Municipal Courts.

And ordered same sent forthwith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 441. To the Committee on Forestry and Conservation.

H. B. 697. To the Committee on Judiciary.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 297. To amend Section 125 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

Also:

S. 298. To amend Section 130 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

Also:

S. 299. To amend Section 424 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

Also:

S. 300. To amend Section 429 of Title 51 of the Code of Alabama (1940), as amended, which relates to payment and distribution of tax.

Also:

S. 301. To amend Section 441 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

Also:

S. 302. To amend Section 632 of Title 51 of the Code of Alabama (1940), as amended, which relates to the disposition of tax.

Also:

S. 304. To amend Section 655 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

Also:

S. 306. To amend Section 739 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

Also:

S. 307. To amend Section 784 of Title 51 of the Code of Alabama (1940), as amended, which relates to the distribution of revenues from tax.

Also:

S. 308. To amend Section 808 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

S. 311. To amend Section 12 of Act No. 590, H. 392, approved June 27, 1940, (General Acts, 1939, p. 958), which levies an excise tax on diesel oil, tractor fuel, gas oil, distillate, and liquefied gas.

Also:

S. 312. To amend Section 7 of Act No. 2, H. 47, approved May 19, 1945, (General Acts, 1945, p. 20), which levies a privilege tax upon persons engaging in the business of producing or severing oil or gas or other hydrocarbons from the soils or waters.

Also:

S. 313. To amend Section 629 of Title 51, as amended, which relates to the expenses of administering store licenses.

Also:

S. 398. To amend Section 17 and Section 20 of Title 32 of the Code of Alabama (1940), as amended, both of which relate to the employees of the Legislature.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 92. To provide for the payment by the employers who participate in the Alabama Employees' Retirement System under the provisions of Section 12 of Act 515 approved July 9, 1945, of an annual retirement benefit to any employee of said employer who declined membership in the Alabama Employees' Retirement System in the manner prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as an employee of said employer; provided said employee had attained age 60 on or before date of participation of said employer in the Employees' Retirement System; and, to provide

a supplement to the retirement benefits of any employee of said employer who is or will retire under the provisions of Act 515 approved July 9, 1945, with a minimum of 15 years of creditable service, and who is not entitled under the provisions of said Act 515 to receive a retirement benefit in excess of \$60 per month, provided said employee had attained age 60 on or before date of participation of his employer in the Employees' Retirement System: to set forth the requirements under which said retirement and supplemental benefits shall be granted and to provide the method of payment of said retirement and supplemental benefits.

Also:

H. 231. To amend Section 25, Chapter 1, Title 23, Code of Alabama, 1940.

Also:

H. 381. To amend Section 191 of Title 26, 1940 Code, as amended by Act No. 310 of the 1943 Legislature relating to unemployment compensation.

Also:

H. 382. To amend Section 237, Title 26, 1940 Code of Alabama.

Also:

H. 414. To designate certain streets and roads or portions thereof, including viaducts and bridges, located within incorporated municipalities in Alabama and which constitute the route of connection between, or extension of, state roads in the Alabama Highway System, as municipal connecting link roads; to provide for maintenance, construction, reconstruction and repair of such municipal connecting link roads by the State and to prescribe conditions and extent of such maintenance, construction, reconstruction and repair independently or in cooperation with the city or town in which located; to provide for repeal of all laws, or parts of laws, in conflict herewith and to provide for severability of sections or other divisions or parts of this Act.

Also:

H. 663. To propose an amendment to the Constitution of Alabama prohibiting the Legislature from establishing or abolishing any branch courthouse or establishing or abolishing any division or branch of any court of record to be held at any place other than the County seat, unless the proposal be first submitted to a vote of the qualified electors of the County or Counties to be affected; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held at the next general election in November, 1950, at which the amendment is proposed.

Also:

H. 731. To establish for the City of Auburn an employees' pension and relief system and an employees' pension and relief fund; providing for the composition, management, and administration of the fund; and providing for the payment of benefits under the system.

Also:

H. 757. For the relief of Mrs. Eddie Goehler: directing the governing body of Cullman County to pay to Mrs. Eddie Goehler the sum of one thousand five hundred dollars out of any funds of the county not otherwise obligated as compensation for the death of her husband who was killed in the course of his employment by the county in the shop of the county highway department.

Also:

H. 777. Levying in Lauderdale County, Alabama, (outside the City limits of Florence) additional special, privilege or license taxes and excise taxes at the rate of one percent against the person on account of business activities and in the amount to be determined by the application of said rate against gross sales or gross receipts from the selling at retail of any tangible personal property whatsoever; and one percent upon the gross receipts of admissions to places of amusement or entertainment, including athletic contests, football and baseball games, skating rinks, race tracks, golf courses, or any other places of amusement or entertainment and a tax of $\frac{1}{4}$ of one per cent on the gross proceeds of the sales of any automotive vehicle, and providing for exemptions, definitions, penalties, fines and punishments as set out in Section 52, through Section 786, Article 10 of Chapter 20, Title 51, of the Code of Alabama, and amendments thereto.

And levying in Lauderdale County, Alabama, (outside the city limits of Florence), an excise tax at the rate of one percent of the sales price on the storage, use or consumption in Lauderdale County, Alabama, of tangible property purchased at retail on or after the effective date of this Act for storage, use or consumption in Lauderdale County, Alabama; and levying an excise tax of $\frac{1}{4}$ of one percent on the storage, use or consumption in Lauderdale County, Alabama, (outside the City limits of Florence), of any automotive vehicle purchased at retail on or after the effective date of this Act and providing for rules, regulations, penalties, fines and punishments, set out in Section 787 through Section 811, and Article 11 of Chapter 20, Title 51, of the Code of Alabama, and amendments thereto.

And levying in the City of Florence, Alabama, additional, special, privilege or license taxes and excise taxes at the rate of $\frac{1}{2}$ of one percent against the person on account of business activities and in the amount to be determined by the application of said rate against gross sales or gross receipts from the selling at retail of any tangible personal property whatsoever; and one per cent upon the gross receipts of admissions to places of amusement or entertainment, including athletic contests, football, and baseball games, skating rinks, race tracks, golf courses, or any other places of amusement or entertainment and a tax of $\frac{1}{4}$ of one percent on the gross proceeds of the sales of any automotive vehicle, and providing for exemptions, definitions, penalties, fines and punishments, as set out in Section 52, through Section 786, Article 10 of Chapter 20, Title 51, of the Code of Alabama and amendments thereto.

And levying in the City of Florence, an excise tax at the rate of one percent of the sales price on the storage, use or consumption in the City of Florence, of tangible property purchased at retail on or after the effective date of this Act, for storage, use or consumption in the City of Florence; and levying an excise tax of $\frac{1}{4}$ of one percent on the storage, use or consumption in the City of Florence, Alabama, of any automotive vehicle purchased at retail on or after the effective date of this Act and providing for rules, regulations, penalties, fines and punishments, set out in Section 787 through Section 811, and Article 11 of Chapter 20, Title 51 of the Code of Alabama, and amendments thereto.

And providing that said taxes together with any interest and penalties imposed by said Act shall be a lien upon the property of any person, firm or corporation owing said taxes, and providing that said taxes shall constitute a debt due Lauderdale County and the City of Florence, and may be collected by civil suit in addition to all other methods and provisions, that said taxes shall be collected by and paid to the Probate Judge of Lauderdale County, Alabama, in his official capacity; and requiring that all reports required to be made to the Commissioner of Revenue of the State of Alabama as to State sales and use taxes by Section 752, through Section 811 and Articles 10 and 11, Chapter 20, of Title 51 of the Code of Alabama, shall also be made to the Probate Judge of

Lauderdale County, Alabama, and granting to said Judge the same powers, duties and obligations as are imposed on the Commissioner of Revenue of the State of Alabama, by Section 752 through Section 811, and by Articles 10 and 11 of Chapter 20, Title 51 of the Code of Alabama and Amendments thereto. Providing for reimbursement to said Probate Judge out of said taxes for all clerk hire and other expense incurred by him in the collection, handling, and disbursing of said moneys, and providing for reasonable compensation to said Probate Judge for his services in connection therewith.

Providing that the person or party paying the said tax shall be authorized to deduct from the remittance three percent (3%) of the amount of such tax for reimbursement for the expense of collecting and reporting such tax.

And providing that said Probate Judge shall at monthly intervals pay over to the Lauderdale County Board of Education, and the City Board of Education in the City of Florence, such moneys so collected by him, and providing for the ratio of such division.

And providing that said taxes shall be in addition to all other license and taxes now or heretofore levied by law and that the payment shall be a condition precedent to the engaging in any business, or businesses, taxable hereunder.

And providing when said taxes shall be due and collectible and providing the manner and methods for collecting the same. And providing that all such taxes shall be used exclusively for school purposes and solely for capital outlay for construction and maintenance of the public schools for Lauderdale County, and the City of Florence, Alabama.

And providing that each taxpayer may comply with the provisions of the Act by filing with the Probate Judge of Lauderdale County, Alabama, a copy of the report, or reports, made by him to the Commissioner of Revenue of the State of Alabama and paying to the said Judge the taxes due according to said report computed at the rate, or rates, provided in this Act.

And providing for the repeal of all laws in conflict with the provisions of this Act.

And providing that if any Section, clause or provision of the Act shall be held to be invalid such holding shall not affect any other Section, Clause or provision not in itself invalid.

And providing when said Act shall take effect.

Also:

H. 789. To provide for a Clerk in the office of the Clerk of the Circuit Court of Elmore County, Alabama; to fix the method and basis of such Clerk's employment and compensation, and to designate the fund from which payable. To repeal all laws in conflict herewith; to provide that the partial invalidity of this Act shall not affect the remainder thereof; and to fix the time when this Act shall become effective.

Also:

H. 795. To prescribe the duties of the Deputy Solicitor of Pike County, Alabama; to impose additional duties on such solicitor; to fix his compensation; and to provide for the payment thereof from the general fund of said county.

Also:

H. 798. To amend Act No. 185, H. 498, approved July 24, 1947 (Local Acts of Alabama, 1947, page 101), entitled "An Act to place the Sheriff of Calhoun County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Calhoun County,

Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for the payment into the Treasury of Calhoun County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer."

Also:

H. 799. Relating to Calhoun County: To fix the compensation of the members of the county board of education.

Also:

H. J. R. 95. Relative to the members of the Legislature expressing regret at the resignation of Miss Loula Dunn as Commissioner of Public Welfare.

Also:

H. J. R. 97. Relative to House Bill 92 being designated as the Sullivan, Mize Bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions, the titles of which are set out in the foregoing message from the House.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Hooton:

S. B. 572. To impose extra, new, and additional duties upon the Attorney General of Alabama; to provide additional compensation for the performance of the extra, new, and additional duties hereby imposed upon him; and to provide for the payment of such additional compensation out of the general fund of the State of Alabama.

Committee on Judiciary.

By Mr. Swift:

S. B. 573. To amend Section 31 of Title 38 of the Code of Alabama (1940), which relates to the use of the proceeds from the operation and handling of the facilities and improvements of harbors and ports.

Committee on Seaports.

By Mr. Russell:

S. B. 574. To amend Act No. 569, General Acts of 1947, Page 402, approved October 2, 1947, "To fix and prescribe the salaries

to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of said salaries by the counties of certain judicial circuits," and to provide for the repeal of all acts, all laws and parts of laws in conflict herewith.

Committee on Judiciary.

By Messrs. Boutwell and Quarles:

S. B. 575. To make appropriations for the acquisition of land and for the construction and equipment of a building for the School of Dentistry of the University of Alabama.

Committee on Finance and Taxation.

By Messrs. Hughes, Hardwick, Patterson, Bridges and Kendall:

S. B. 576. To make an additional appropriation to the State Board of Education for the establishment of the Vocational Trade School at Napier Field in Dale County.

Committee on Finance and Taxation.

By Mr. Patterson:

S. B. 577. To provide that the courses of study taught at trade schools shall at least conform to the minimum standards prescribed for the other public schools of the state and that the students shall receive the same credit for completing the courses as is received by students in the other public schools.

Committee on Education.

REPORTS OF COMMITTEES

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Miller, Roberts and Inzer:

H. 313. To impose extra, new, and additional duties upon the circuit solicitors of the State of Alabama; to provide additional compensation for such solicitors for the performance of the extra, new, and additional duties hereby imposed upon them; and to provide for the payment of such additional compensation out of the general fund of the State of Alabama.

By Mr. Head:

H. 479. To amend Section 23 of Title 34 of the Code of Alabama (1940), as amended, which relates to the mode of proceeding in divorce suits; making the operation of the amendment retroactive and validating proceedings and divorce decrees based on service of process by registered mail.

By Mr. Pinkston:

H. 499. To exempt from all ad valorem taxation certain mortgages and renewals, extensions, transfers, and assignments thereof.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Mize and Fite (with amendment):

S. 537. To amend "An Act to abolish bills of exception in the circuit court and courts of like jurisdiction and all other courts of record having a full time court reporter and from which appeals lie directly to the Court of Appeals or the Supreme Court of Alabama in cases at law, and to provide for the evidence to be transcribed and made a part of the record and for assignments of error on the record," approved July 12, 1943.

By Messrs. Miller and Roberts (with amendment):

H. 736. To prohibit the probate judge in all counties having a population of not less than 67,500 and not more than 75,000 from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit; and repealing conflicting laws.

By Mr. Adams (of Dale) (with amendment):

H. 653. To amend Section 462, Title 37, Code of Alabama 1940, as amended by Act No. 303 General Acts of Alabama, 1943 approved June 28, 1943, relating to publication and recording of ordinances.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McIlwain:

H. 263. To amend Section 108 of Title 55 of the Code of Alabama (1940), which relates to state purchases.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment and it was read a second time and placed on the calendar, to-wit:

By Messrs. Swift, Fite and Allen (with amendment):

S. 523. To regulate further the issue and sale of certain public securities.

Mr. Allen, Chairman of the Standing Committee on Commerce and Common Carriers reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Brown:

H. 784. Providing for rural telephone service: Authorizing electric cooperatives to furnish rural telephone service to their members and persons they serve; and enumerating their powers in connection therewith; providing that such powers are exclusive; providing that electric cooperatives shall furnish telephone service subject to the jurisdiction of the Alabama Public Service Commission; imposing additional duties on the Alabama Public Service Commission in connection with effectuating the provisions of the Act; and providing additional compensation for the members of the Alabama Public Service Commission for the performance of the additional duties imposed by the Act.

Mr. Cater, Vice-Chairman of the Standing Committee on Municipalities and Municipal Organization reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Pinkston and Brassell:

H. 713. To authorize any city to establish a sinking fund for the payment of any of its unmatured bonds and to issue to and place in such sinking fund refunding bonds issued to refund such unmatured bonds and to regulate the maturities of such refunding bonds and the rate of interest to be paid thereon and to provide for the appointment of a trustee to hold such sinking fund and to grant such trustee power to invest and administer such sinking fund.

By Mr. Harris:

H. 282. To amend Section 428, Title 37, Code of Alabama of 1940, as amended.

By Mr. Hardwick:

S. 567. To amend Section 72 of Title 37 of the Code of Alabama (1940), which relates to filling vacancies on city commissions.

By Messrs. Dobbs (Elmore) and Hornsby:

H. 658. To amend Section 4 of Act No. 154 adopted at the 1947 Regular Session of the Legislature, entitled "An Act to authorize and empower water works boards now or hereafter existing under the provisions of Alabama Code of 1940, Title 37, Sections 394 to 402, to have and exercise the same powers, functions, and duties, rights and privileges with respect to gas plants and systems as

they now have with respect to water works plants and systems; to authorize water works boards to acquire by purchase, construction or condemnation gas plants and systems; to authorize the issuance of revenue bonds to finance such gas plants and systems; to authorize municipal corporations to transfer and convey municipally owned gas plants and systems to such water works boards; and to authorize such water works boards to combine any water works plant and system owned by it with a gas plant and system owned by it; to prescribe the conditions under which such water works boards may engage in the business of furnishing gas for industrial, domestic, or other consumption in a territory in which there is in existence at the time a plant or distribution system, or any part thereof furnishing such service; and to provide a method by which such water works boards may acquire such existing facilities at a price to be agreed upon by the parties or fixed by the Alabama public service commission; to provide for a hearing of such matters by the commission; and to provide for appeals from orders, judgments and decrees entered therein; and to authorize the change in name of any water works board," and approved on July 22, 1947.

By Mr. Dobbs (Elmore) and Mr. Hornsby:

H. 659. To amend Sections 394, 395, 398, 399, 400 and 402 of Title 37 of the Code of Alabama; to provide for and authorize the incorporation for any municipality in the state of a corporation having the same powers, functions and duties with respect to both a water works plant and system and a sanitary sewer system that a corporation organized under Sections 394 to 402 of said Title 37 now has with respect to a water works plant and system; to authorize any corporation heretofore or hereafter organized under said sections (either as they have heretofore existed or as herein amended), with the approval of the municipality which has authorized its incorporation, to amend its certificate of incorporation so as to provide for the operation of a sanitary sewer system or a water works plant and system in addition to the system for operation of which it was originally organized and to change its corporate name accordingly; to provide for the sale of water, and the furnishing of sewer services and other services from the system or systems of such corporation; to authorize the sale at wholesale of all or any part of the water supply of such corporation to any municipality or to any other corporation organized under said sections; to authorize and provide for such corporation to borrow money and issue interest bearing bonds payable solely from the revenues of both its water works plant and system and its sanitary sewer system, or either of them, to pledge such revenues for payment of such bonds, and to mortgage, pledge or otherwise convey any such system the revenues from which are so pledged; to provide for the manner of execution of the bonds of such corporation; to provide that the property and income of such corporation, its bonds, the income therefrom

and any instrument executed as security for its bonds shall be exempt from taxation in the State of Alabama; to provide in certain events for the vesting of title to such corporation's water works plant and system and sanitary sewer system, or either of them, in the municipality which authorized the incorporation of such corporation and for the dissolution of such corporation; to authorize the conveyance of a water works plant and system and a sanitary sewer system, or either of said systems, to such corporation by the municipality which authorized its incorporation without an election of the qualified voters of such municipality and to authorize such municipality to enter into any agreements with such corporation necessary or appropriate to effectuate such transfer.

Mr. Mize, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Patton:

S. 571. To amend Section 283 of Title 26 of the Code of Alabama (1940), as amended by Act No. 36, approved June 2, 1949, relating to Workmen's Compensation.

Mr. Lowe, Chairman of the Standing Committee on Agriculture reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Glover, Henderson, Clayton and Lowe (with substitute):

S. 532. Requiring the owners of cattle desiring to brand such cattle to register their brands with the Department of Agriculture and Industries; making the presence of such registered brand on cattle prima facie evidence of ownership of cattle so branded; imposing certain duties relative to the sale of cattle so branded upon stockyards and public markets selling cattle; and providing that violations of this Act shall be misdemeanors.

Mr. Lowe, Chairman of the Standing Committee on Agriculture reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Henderson and Lowe:

S. 551. To amend Section 6 of Act No. 694 of the Legislature of Alabama of 1947 entitled "An Act to provide for the arrest and eradication of contagious and infectious diseases among ani-

mals; to authorize quarantine measures and the seizure and disposition of infected or exposed animals, and all infected real and personal property; to provide for the payment of indemnity to owners of seized animals or property; to authorize rules and regulations having the full force and effect of law; to provide for a penalty for violation hereof; and to provide an appropriation herefor," approved October 9, 1947; to provide for the annual salary of the State Veterinarian; to repeal all laws or parts of laws in conflict with this Act; and to provide for the effective date of this Act.

Mr. Cater, Chairman of the Standing Committee on Constitutions and Constitutional Revision and Amendments reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cole and Brassell:

H. 742. To propose an amendment to the Constitution of Alabama to prohibit the municipality of Phenix City from granting any franchise to a public utility for a period of more than thirty years.

The above Bill was read a second time at length as required by the Constitution.

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mize (with notice and proof):

S. 558. Relating to Tuscaloosa County: To provide further for the salaries and compensation of clerks, deputies and assistants to the Judge of Probate of Tuscaloosa County, Alabama.

By Mr. Mize (with notice and proof):

S. 559. To amend Section 2 of Act No. 93, S. 127, approved April 7, 1936 (Local Acts of Alabama, Extra Session 1936, page 53) entitled "An Act To regulate the office of the sheriff of Tuscaloosa County, Alabama; to exempt the sheriff of said county from court costs; to fix the compensation or salary to be paid the sheriff of Tuscaloosa County, Alabama, and to regulate the payment of the same; to fix the number and compensation of the sheriff's deputies, guards, jailers, and other employees of the sheriff; to require the deputy sheriffs and special deputy sheriffs of said sheriff to execute official bonds conditioned, payable and approved as the bond of the sheriff; to exempt the sheriff of said County from liability for the acts of the deputies, except in certain cases; to provide for the appointment and compensation of special

deputies; to provide for the payment of the premium on the sheriff's and all deputies' bonds out of the County Treasury; to provide that all fees, charges and commissions taxable and collected as sheriff's fees, charges or commissions be paid into the County Treasury, including fees for feeding prisoners, to be paid into the general fund of said County; to provide for the payment of the expenses of the office of said sheriff, including the costs of supplying and maintaining automobiles used by said sheriff in his official business, and authorizing the Board of Revenue to appropriate the necessary money for such expenses, and to regulate the expenditure of same; authorizing the sheriff of said County to employ an attorney to advise and represent him, whose compensation is to be fixed by the Board of Revenue and paid out of the County Treasury; abolishing in so far as it relates to Tuscaloosa County, Alabama, sheriff's fees provided for in Section 6717 of the Code of Alabama, 1923, and providing that the sheriff of said county shall furnish bailiffs required in Section 6716 of the Code of Alabama, 1923; to provide that said County shall not be liable for the acts or omissions of said sheriff or any of his deputies, guards, jailers or other employees; to repeal all laws and parts of laws which, as applied to Tuscaloosa County, Alabama, are in conflict with the provisions of said Act; and providing when and how said Act shall become effective."

By Mr. Mize (with notice and proof):

S. 565. To amend Section 1 of Act No. 130, H. 526, approved June 12, 1935 (Local Acts of Alabama, 1935, page 64) entitled "An Act To fix the compensation or salary to be paid the Tax Collector of Tuscaloosa County, Alabama, and to regulate the payment of the same; To provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Collector of Tuscaloosa County, Alabama, and to require said tax collector to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay same into the County Treasury of Tuscaloosa County; To provide for the payment of the salary or compensation of said tax collector of Tuscaloosa County, and the clerks, deputies and other clerical assistants, and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Tax Collector, and to prescribe when this act shall go into effect."

By Mr. Mize (with notice and proof):

S. 566. Relating to Tuscaloosa County: To provide further for the salaries and compensation of the clerks, deputies and assistants to the Tax Collector of Tuscaloosa County, Alabama.

By Mr. Hughes (with notice and proof):

S. 555. Supplemental to Act No. 538, H. 1009, approved Sep-

tember 16, 1939 (Local Acts of Alabama, 1939, page 329), as amended, which establishes the Inferior Court of Geneva County: To increase the jurisdiction of the Court and to increase the compensation of the judge of the Court for the performance of the additional duties resulting therefrom.

By Mr. Head (with notice and proof):

H. 823. To amend Section 4 of Act No. 101, H. 498, approved October 19, 1932 (Local Acts, Extra Session 1932, p. 45), entitled, "An Act to provide for the election of a County Superintendent of Education for Shelby County, Alabama, by the qualified voters of said County; to provide the duties and fix the term of office and compensation and qualifications of such officer, and to provide for the selection and expenses of clerical help for said office and other expenses incident thereto."

By Mr. Taylor (of Autauga) (with notice and proof):

H. 829. To authorize and empower the Circuit Clerk of Autauga County, Alabama, to appoint a deputy clerk, and to fix the salary and to provide the method of payment of salary.

By Mr. Mize (with notice and proof):

S. 560. To amend Section 1 of Act No. 129, H. 525, approved June 12, 1935 (Local Acts of Alabama, 1935, page 62) entitled "An Act To fix the compensation or salary to be paid the Judge of Probate of Tuscaloosa County, Alabama, and to regulate the payment of the same; to provide for the compensation of clerks, deputies, clerical assistants and other expenses in the Probate Office of Tuscaloosa County, Alabama, and to require said Judge of Probate to collect all the fees, compensation and allowances heretofore or hereafter collected by said Judge of Probate, and to pay same into the County Treasury of Tuscaloosa County; to provide for the payment of the salary or compensation of said Judge of Probate and the clerks, deputies and other clerical assistants, and other office expenses, out of the funds of Tuscaloosa County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Judge of Probate, and to prescribe when this act shall go into effect."

By Mr. Mize (with notice and proof):

S. 564. Relating to Tuscaloosa County: To provide further for the salaries and compensation of clerks, deputies and assistants to the Tax Assessor of Tuscaloosa County, Alabama.

By Mr. Coburn (with notice and proof):

H. 836. To provide for the City of Sheffield a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violations.

By Mr. Beck (with notice and proof):

H. 859. To authorize the governing body of DeKalb County, Alabama to impose an excise tax on persons, corporations, co-partnerships, companies, agencies, and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

By Messrs. Rogers and Barnett (with notice and proof):

H. 834. To enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama.

By Mr. Hughes (with notice and proof):

S. 556. To authorize and direct the governing body of Geneva County to pay the salary of an additional clerk or deputy for the Sheriff of the County.

By Messrs. Adams (of Jefferson), Dumas et al (with notice and proof):

H. 752. To provide for the alteration or rearrangement of the boundary lines of the City of Birmingham in Jefferson County, Alabama, so as to include within the corporate limits of said City of Birmingham the territory in said county now within the corporate limits of said City of Birmingham and the territory or territories in said county now within the corporate limits of the cities of Homewood, Mountain Brook, Tarrant City and Fairfield and the territory in said county now within the corporate limits of the town or city of Irondale and territory in said county now without the corporate limits of any city or town; and to provide for elections as a part of the provisions for such alteration or rearrangement.

By Mr. Mize (with notice and proof):

S. 562. Relating to Tuscaloosa County: To authorize the employment of a stenographic secretary by the Circuit Solicitor of Tuscaloosa County, and authorizing the payment of the salary of such stenographic secretary out of the treasury of Tuscaloosa County.

By Mr. Mize (with notice and proof):

S. 561. Relating to Tuscaloosa County: To provide further for the salaries or compensation of the clerks, deputies and assistants to the Circuit Clerk of Tuscaloosa County, Alabama.

By Mr. Mize (with notice and proof):

S. 563. To amend Section 1 of Act No. 128, H. 524, approved June 12, 1935 (Local Acts of Alabama, 1935, page 61) entitled "An Act To fix the compensation or salary to be paid the Tax Assessor of Tuscaloosa County, Alabama, and to regulate the payment of the same: To provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Assessor of Tuscaloosa County, Alabama, and to require said tax assessor to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay same into the County Treasury of Tuscaloosa County; To provide for the payment of the salary or compensation of said Tax Assessor of Tuscaloosa County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of said tax assessor, and to prescribe when this act shall go into effect."

Mr. Patterson, Chairman of the Standing Committee on Education reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dumas:

H. 647. To amend Section 4 of Title 12 of the 1940 Code of Alabama.

Mr. Clayton, Chairman of the Standing Committee on Privileges and Elections reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Boutwell and Henderson:

S. 493. To amend Section 68 of Title 29 of the 1940 Code of Alabama which relates to elections to determine classification of counties as wet or dry counties.

RESOLUTION

Messrs. Allen, Owens, Russell, Patton, Fite, Kendall and Swift, offered the following Senate Resolution, to-wit:

S. R. 53. WHEREAS, the members of the Senate have each received through the United States mails a copy of the July 15, 1949, issue of a "throw-away" scandal sheet known as Steel City Star, purporting to be published in Fairfield, Alabama, and

WHEREAS, in said issue of said publication there appeared scurrilous and libelous articles with reference to our able and distinguished colleague, the Senator from Jefferson, Honorable

Albert Boutwell, and his stand on certain local legislation dealing with Jefferson County, Alabama; and,

WHEREAS, said articles far transcend the bounds of fair comment and common decency; are wilfully and maliciously false; are revolting to the sensibilities of the members of the Senate; and are strongly resented by the Alabama State Senate and the members thereof.

NOW THEREFORE, Be it Resolved by the Alabama State Senate that said scandal sheet and the author of said articles are hereby censured and condemned for the publication of said scurrilous and libelous articles.

BE IT FURTHER RESOLVED that said articles have immeasurably damaged the cause sought to be espoused by said articles.

BE IT FURTHER RESOLVED that the passage by a unanimous vote of the Senate of the Boutwell Bill, criticised in said articles, is indicative, first, of the high regard in which the Senate of Alabama holds its distinguished colleague, and second, of the fact that said Articles failed to accomplish any purpose but to cheapen said scandal sheet and said author in the eyes of those reading said articles.

BE IT FURTHER RESOLVED that the Senate of Alabama holds in the highest esteem Honorable Albert Boutwell, whom the members of the Senate know to be a gentleman, a scholar and a statesman of the highest order, working always for the betterment and progress of the State of Alabama and of Jefferson County and all of their citizens, and having their interests only at heart.

And on motion of Mr. Cater the rules were suspended and the resolution adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 303. To amend Section 647 of Title 51 of the Code of Alabama (1940), as amended, which relates to the gasoline tax.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the following House amendment to the bill, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. B. 303

A BILL
TO BE ENTITLED
AN ACT

To amend Section 647 of Title 51 of the 1940 Code, which relates to the excise tax on gasoline.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 647 of Title 51 of the 1940 Code is amended to read: "(a) Every distributor, refiner, retail dealer, or storer of gasoline shall collect and pay over to the State Department of Revenue an excise tax of six cents per gallon upon the selling, distributing, storing or withdrawal from storage in this State for any use, gasoline, as defined by Article 5 of Title 51 of the 1940 Code; provided, that where the excise tax of six cents per gallon upon the sale, distribution, storage or withdrawal from storage of such gasoline shall have been paid to the State by a distributor, refiner, or by any retail dealer, or storer, such payments shall be sufficient, the intention being that the tax shall be paid to the State but once. (b) The State Department of Revenue is hereby authorized to issue to the United States certificates of exemption, upon forms prescribed by the Department, for use by the United States in purchasing gasoline within the State of Alabama and which is paid for by the United States. Any person in reporting any paying the tax to the Department may deduct the number of gallons of gasoline sold to the United States, as shown by such certificate of exemption duly executed by the United States and filed with such report; and the Department is authorized to adopt rules and regulations with respect to the issuance and use of such certificates. (c) The revenue, less the expense of collecting the same in such amount as may be appropriated by the Legislature out of said tax, obtained from the taxes on gasoline, naphtha, and other liquid motor fuels, or any device or substitute therefor, commonly used in internal combustion engines, as is provided for in this section, shall not be used for any purposes other than the following, namely: (1) The revenue arising from the sale of gasoline, as herein defined, for aviation fuel, shall be used exclusively for the purpose of paying the cost of acquiring, engineering, construction, improvement and maintenance of existing or proposed airports and other air navigation facilities within the state, and for the further purpose of creating a sinking fund for the payment of the interest and the retirement of the principal of all bonds which may be hereafter lawfully issued, sold and delivered for funds to be used exclusively for the enumerated purposes. All gasoline, or any substitute therefor, sold or delivered to any airport within the state for use as fuel to propel airplanes is hereby classified as aviation fuel. (2) The revenue arising from the sale of gasoline, as herein defined for all other purposes

shall not be used for any purpose other than for the construction, improvement, maintenance and supervision of highways, bridges and streets, including the retirement of bonds for the payment of which such revenues have been or may hereafter be pledged. The payment of the per diem and mileage of members of county governing bodies when engaged in supervising the construction, improvement and maintenance of highways, bridges and streets, shall be construed as used in supervision. However, the governing body of each county is authorized to expend an amount not to exceed one-third of the total amount of such revenue that may be received by such county in the payment of any debt that may have been incurred by such county for the construction or maintenance of roads or bridges. This fund shall be allocated in the manner now provided by law. On the 20th day of each month following that quarter of any fiscal year, all revenue derived from the sale of gasoline purchased and used for aviation fuel, less the cost of collection, shall be allocated to the state department of aeronautics, or to the Alabama aviation commission, as the case may be, and the counties and municipalities which own or operate public airports where aviation gasoline is sold or delivered in the following manner, namely: Of the first twelve thousand five hundred (\$12,500) dollars of such tax collected in any county in the quarter-fiscal year, the county and municipalities therein owning or operating public airport, or public airports, where aviation gasoline is sold or delivered, shall receive twenty-five (25%) per centum thereof to be allocated to each unit of government, owning or operating any such airport, whether it be the sole or joint owner thereof, in the proportion that the number of gallons of aviation gasoline sold or delivered at each of such airports bears to the number of gallons of aviation gasoline sold or delivered in the county; of the second twelve thousand five hundred (\$12,500) dollars of such tax collected in any county in the quarter-fiscal year, the county and the municipalities therein owning or operating a public airport, or public airports, where aviation gasoline is sold or delivered, shall receive fifteen (15%) per centum thereof to be allocated to each unit of government, owning or operating any such public airport, whether it be the sole or joint owner thereof, in the proportion that the number of gallons of aviation gasoline sold or delivered at each of such airports bears to the number of gallons of aviation gasoline sold or delivered in the county; of the third twelve thousand five hundred (\$12,500) dollars or over of such tax collected in any county in the quarter-fiscal year, the county and the municipalities therein owning or operating a public airport, or public airports, where aviation gasoline is sold or delivered, shall receive five (5%) per centum thereof to be allocated to each unit of government, owning or operating any such public airport, whether it be the sole or joint owner thereof, in the proportion that the number of gallons of aviation gasoline sold or delivered at each of such airports

bears to the number of gallons of aviation gasoline sold or delivered in the county. Provided, however, if any public airport or airports is owned or operated by any unit or units of government outside of any county where such public airport or airports may be situated, such unit or units of government shall receive its pro rata share of the funds allocated in the proportion hereinabove stated. The remainder shall be paid to the state department of aeronautics, or to the Alabama aviation commission as the case may be. (d) Every distributor, refiner, retail dealer, or storer of gasoline shall add the amount of the excise tax levied and assessed herein to the price of gasoline, it being the purpose and intent of this provision that the tax levied is in fact a levy on the consumer with the distributor, refiner, retail dealer, or storer acting merely as agent of the State for the collection of the tax. The distributor, refiner, retail dealer, or storer shall state the amount of the tax separately from the price of the gasoline on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price of the gasoline. It shall be unlawful for any distributor, refiner, retail dealer, or storer engaged in or continuing within this State in the business for which the excise tax is herein required, to fail or refuse to add to the sales price and collect from the purchaser the amount due by the taxpayer on account of the tax herein provided or to refund or offer to refund all or any part of the amount collected or to absorb or advertise directly or indirectly the absorption of the tax or any portion thereof. Any person, firm or corporation violating any of the provisions of this Section shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars or imprisoned in the county jail for not more than six months, or by both such fine and imprisonment; each act in violation of this Section shall constitute a separate offense."

Section 2. This Act shall become effective on October 1, 1949.

And requested Committee on Conference.

The President and Presiding Officer of the Senate appointed as conferees on part of the Senate Messrs. Lowe, Henderson and Hardwick.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:
S. 310. To amend Section 5 of Act No. 169, H. 27, approved June 23, 1945, (General Acts, 1945, p. 285), which levies Forest Products Severance Tax.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lowe the Senate concurred in and adopted the following House amendment to the bill, S. B. 310, the title of which is set out in the foregoing Message from the House, to-wit:

Amend S. B. 310 by striking therefrom the following:

"No expenditures shall be made from the Special State Forestry Fund except by an appropriation by the legislature of a specified amount".

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Owens	
Barrett	Fite	Hughes	Patterson	
Boutwell	Glover	Kendall	Patton	
Bridges	Golson	Kimbrell	Perry	
Burnside	Hardwick	Lamberth	Quarles	
Cater	Henderson	Lowe	Swift	
Clayton	Hooton	Mize		—26

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater: S. 305. To amend Section 713 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lowe, the Senate concurred in and adopted the House amendment to the bill, S. B. 305, the title of which is set out in the foregoing Message from the House, to-wit:

Amend S. B. 305 by substituting in Sec. 1 for the word eighty in line 19 the word seventy and substituting the word thirty in line 19 for the word twenty.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Burnside	Golson	Howle
Allen	Cater	Gulledge	Hughes
Barrett	Clayton	Hardwick	Kendall
Boutwell	Coleman	Henderson	Kimbrell
Bridges	Fite	Hooton	Lamberth

Lowe
Mize
Owens

Patterson
Patton

Perry
Quarles

Russell
Swift

—28.

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

By Messrs. Lowe, Patterson, Quarles, Patton, Boutwell, Swift and Cater:

S. 309. To amend Section 19 of Act No. 664, H. B. 791, approved July 5, 1940, entitled, "An Act To provide for the levy, assessment and collection of mileage taxes from motor carriers in the State of Alabama; to provide that all funds collected hereunder shall be paid into the State Treasury into the Motor Carrier Fund and for the expenditure of said funds; and to require and provide for giving security to the State for such taxes and provide penalties for violation of this Act and to provide for reciprocity with other States," (General Acts of 1939, p. 1057).

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lowe, the Senate concurred in and adopted the following House amendment to the bill, S. B. 309, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 309

Amend S. B. 309 by adding to Section 1, at the end thereof, just before the period at the end of Section 1, the following words: "to be used in the maintenance, policing and repair of public highways in this state.

Yeas 27; Nays 0.

Yeas:

Messrs.:
Allen
Barrett
Boutwell
Bridges
Burnside
Cater

Clayton
Coleman
Fite
Golson
Gulledge
Hardwick
Henderson

Hooton
Howle
Hughes
Kendall
Lamberth
Lowe
Mize

Owens
Patterson
Patton
Perry
Quarles
Swift
Wright

—27

Nays:

—0

CONSIDERATION OF MOTION TO AMEND SENATE RULE 1 POSTPONED UNTIL NEXT DAY

On motion of Mr. Hardwick further consideration of the motion of Messrs. Allen and Kendall to amend Senate Rule 1 was postponed until the next Legislative Day.

MOTION IN WRITING WITHDRAWN

The motion of Mr. Gullledge to re-refer House Bill 452, which was the unfinished business of the last Legislative Day, was taken up.

By unanimous consent of the Senate, said motion to re-refer House Bill 452, on motion of Mr. Gullledge, was withdrawn.

CALENDAR BILL TEMPORARILY POSTPONED

On motion of Mr. Fite, further consideration of the bill, H. B. 452, was postponed until the next Legislative Day.

FURTHER CONSIDERATION OF S. R. 50

The Senate proceeded to further consideration of the motion of Mr. Gaither to reconsider the vote by which the Senate adopted the resolution, S. R. 50, as amended, on the Twenty-second Legislative Day, which motion was carried over from the last Legislative Day.

Mr. Patton moved that further consideration of the motion to reconsider be postponed until the Twenty-sixth Legislative Day, and on motion of Mr. Gaither, the motion to postpone was laid on the table.

Yeas 15; Nays 14.

Yeas:

Messrs.:	Fite	Hooton	Lamberth
Allen	Gaither	Howle	Mize
Barrett	Hardwick	Kendall	Owens
Boutwell	Harvey	Kimbrell	Patterson

—15

Nays:

Messrs.:	Coleman	Hughes	Quarles
Bridges	Glover	Lowe	Russell
Cater	Golson	Patton	Swift
Clayton	Henderson	Perry	

—14

The question then recurred on the motion of Mr. Gaither to reconsider the vote on the adoption of S. R. 50, as amended, and on motion of Mr. Patton, the motion to reconsider was laid on the table.

Yeas 16; Nays 13.

Yeas:

Messrs.:	Golson	Owens	Quarles
Cater	Henderson	Patterson	Russell
Clayton	Hughes	Patton	Swift
Coleman	Lowe	Perry	Wright
Glover			

—16

Nays:

Messrs.:
Allen
Barrett
Boutwell

Fite
Gaither
Hardwick
Harvey

Hooton
Howle
Kendall

Kimbrell
Lamberth
Mize

—13

RESOLUTION

Mr. Quarles offered the following Senate Resolution, to-wit:

S. R. 54. WHEREAS Brigadier General Walter J. Hanna of Birmingham, Alabama was appointed Brigadier General and assistant division commander of the 31st Infantry Division, Alabama National Guard on May 21, 1948 and to this date the Senate has not been asked to confirm said appointment.

NOW THEREFORE the Senate goes on record as confirming said appointment as of this date.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 303. To amend Section 647 of Title 51 of the Code of Alabama (1940), as amended, which relates to the gasoline tax.

Messrs. Harris, Dumas and Merrill were appointed as Conferees on the part of the House.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolutions:

By Mr. White (Perry):

H. J. R. 101. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that House Bill 231 be known as the Lovelace, White (Perry), Hardwick and Cater bill.

Also:

By Mr. Martin (Greene):

H. J. R. 100. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that House Bill 414 be known as the Lovelace, Martin (Greene), McGowin, Merrill, Ramey, Adams (Jefferson), Adams (Dale), Owens, Hardwick and Cater bill.

Also:

By Mr. Ingalls:

H. J. R. 102. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that House Bills 381, 382, and

383, which have passed both Houses of the Legislature, be designated and known as the Ingalls-Mize Bills.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Swift the rules were suspended and the resolutions H. J. R. 101, 100, and 102, set out in the foregoing Message from the House, were adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Snodgrass:

H. J. R. 105. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two Houses adjourn today, they adjourn to meet on Tuesday, July 26, 1949, at 10 o'clock, A. M.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Swift the rules were suspended and the resolution, set out in the foregoing Message from the House, was adopted by the Senate.

RESOLUTIONS

Mr. Patton offered the following Senate Resolution, to-wit:

S. R. 55. WHEREAS, the standing committees of the Senate which are charged with the responsibility of studying and making decisions concerning pending legislation are vital to the legislative process; and

WHEREAS, the thirty Senate standing committees now being maintained for a total membership of thirty-five Senators is deemed to be excessive; and

WHEREAS, the present large number of committee memberships assigned to each Senator imposes an undue hardship and hampers the scheduling and conduct of committee meetings; and

WHEREAS, three-fourths of the bills introduced are referred to three Senate standing committees, and there exists a need for balancing the work load among the Senate standing committees; now therefore,

Be It Resolved by the Senate of Alabama:

1. A Senate committee is hereby created whose duty it shall be: 1) to study the standing committee organization of the Senate

for the purpose of reducing the number of committees and balancing the committee work loads; 2) to devise a plan for assigning and limiting committee memberships so that no Senator shall simultaneously serve on more than one of the following committees: the Finance and Taxation Committee, the Judiciary Committee, and the Education Committee; and 3) to make a report of recommendations for revision of the Senate rules pertaining to the Senate standing committee organization.

2. The membership of the committee shall be composed of three Senators appointed by the Lieutenant Governor. The committee shall meet from time to time during the 1949 regular legislative session, and members shall receive no additional compensation for services performed as a member of the committee. The committee is authorized to meet for one day only in the City of Montgomery after the final adjournment of the 1949 regular legislative session for the purpose of drafting and adopting its report. For attendance at this one meeting, members of the committee shall receive their actual expenses and no other compensation.

3. The committee shall make its report of findings and recommendations in writing. A copy of the report shall be filed with the Secretary of the Senate, and a copy of the report shall be mailed by the Secretary of the Senate to each person nominated by the Democratic Party to the office of State Senator at the primary elections of 1950.

Which was read and referred to the Standing Committee on Rules.

Mr. Patterson offered the following Senate Joint Resolution, to-wit:

S. J. R. 56. WHEREAS Senate Bill No. 510 relating to the appointment of policemen for the Alabama Polytechnic Institute at Auburn, Alabama, was introduced in the House of Representatives by Honorable D. W. Ward and Honorable Roberts Brown and in the Senate by Senator A. L. Patterson and having now passed both houses of the Legislature.

NOW THEREFORE BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring that said Senate Bill No. 510 be designated and named the Patterson, Ward, and Brown Bill.

Which was adopted.

MOTION IN WRITING

Mr. Harvey offered the following motion in writing, to-wit:

I move that the Rules Committee be directed to report immediately my motion to amend Senate Rule No. 33.

On motion of Mr. Lowe, said motion was laid on the table.

Yeas 22; Nays 9.

Yeas:

Messrs.:	Clayton	Hughes	Patton	
Allen	Coleman	Kendall	Perry	
Boutwell	Glover	Lowe	Quarles	
Bridges	Golson	Mize	Russell	
Burnside	Gulledge	Owens	Swift	
Cater	Henderson	Patterson		—22

Nays:

Messrs.:	Gaither	Hooton	Kimbrell	
Barrett	Hardwick	Howle	Lamberth	
Fite	Harvey			—9

BILLS ON THIRD READING

The Bill:

S. 538. To impose extra, new and additional duties upon the Solicitor of the Sixth Judicial Circuit of Alabama; to provide additional compensation for said Solicitor for the performance of the extra, new and additional duties hereby imposed upon him; and to provide for the payment of such additional compensation by Tuscaloosa County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Patton	
Allen	Gaither	Lamberth	Perry	
Boutwell	Golson	Lowe	Russell	
Burnside	Hardwick	Mize	Swift	
Cater	Henderson	Owens	Wright	
Coleman	Hughes			—21

Nays:

—0

The Bill:

S. 553. To impose extra, new, and additional duties upon the Superintendent of Education of Chilton County, Alabama; to provide additional compensation for the performance of such duties; and to authorize the payment of reasonable expenses incurred by said superintendent of education in the performance of his official duties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Perry
Allen	Gaither	Kimbrell	Quarles
Boutwell	Golson	Lamberth	Russell
Burnside	Gulledge	Lowe	Swift
Clayton	Henderson	Patterson	Wright
Coleman	Howle		

—21

Nays:

—0

The Bill:

S. 549. Relating to Houston County: To amend Act No. 315, S. 293, approved August 13, 1947, (Local Acts of Alabama, 1947, page 226) entitled "An' Act to create and establish in Houston County, in lieu of the county court, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectable therein."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Hardwick	Owens
Barrett	Coleman	Howle	Patton
Boutwell	Gaither	Kendall	Perry
Bridges	Glover	Lowe	Russell
Burnside	Golson	Mize	Swift
Cater	Gulledge		

—21

Nays:

—0

The Bill:

H. 791. To provide for the establishment and administration of a supplementary retirement fund for deputies sheriff, wardens, assistant wardens, transfer agents, prison clerks, or identification clerks, employed by the Sheriff in counties having a population of 400,000 or more according to the last or any future federal census and for the payment of benefits to the deputies sheriff, wardens, assistant wardens, transfer agents, prison clerks, or identification clerks, of the Sheriff's Office in such counties; to provide for the apportionment of pistol permit fees issued by the Sheriff, to provide for the collection of witness fees in certain cases and the distribution and use thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Patton	
Barrett	Glover	Lowe	Quarles	
Boutwell	Gulledge	Mize	Russell	
Bridges	Henderson	Owens	Swift	
Cater	Hooton	Patterson	Wright	
Coleman	Howle			—21

Nays: —0

The Bill:

H. 821. Relating to Washington County: To create the office of Treasurer of Washington County; providing for the appointment, term of office, duties, authority and compensation of such county official; and providing for filling vacancies in such office.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Lamberth	Perry	
Allen	Glover	Lowe	Quarles	
Barrett	Harvey	Mize	Russell	
Boutwell	Henderson	Owens	Swift	
Cater	Hooton	Patton	Wright	
Coleman	Kimbrell			—21

Nays: —0

The Bill:

H. 822. To provide for a clerk or clerks in the office of the tax assessor of Washington County, Alabama, and to fix the method and basis of employment and compensation for such clerk or clerks and to make such compensation payable out of the general fund of said County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Perry	
Boutwell	Glover	Kendall	Quarles	
Burnside	Gulledge	Lamberth	Russell	
Cater	Hardwick	Mize	Swift	
Clayton	Harvey	Patton	Wright	
Coleman	Hooton			—21

Nays: —0

The Bill:

H. 734. Relating to Choctaw County: To divide the County into four forest-protection districts, creating the offices of Chief

Forest Warden for the county and District Forest Warden for each district, prescribing the duties of such officers, fixing their compensation, and imposing such duties upon the probate judge and county commissioners ex officio.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Hughes	Owens	
Barrett	Gulledge	Kimbrell	Patton	
Bridges	Hardwick	Lamberth	Russell	
Cater	Harvey	Lowe	Swift	
Coleman	Henderson	Mize	Wright	
Fite	Hooton			—21

Nays:

—0

The Bill:

H. 820. To provide for a clerk or clerks in the office of the tax collector of Washington County, Alabama, and to fix the method and basis of employment and compensation for such clerk or clerks and to make such compensation payable out of the general fund of said County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Harvey	Mize	
Allen	Coleman	Hughes	Perry	
Barrett	Fite	Kendall	Russell	
Bridges	Glover	Lamberth	Swift	
Burnside	Gulledge	Lowe	Wright	
Cater	Hardwick			—21

Nays:

—0

The Bill:

H. 818. To amend Section 1 of an act entitled "To provide for the fees and mileage to be paid to the sheriffs of the several counties of Alabama for taking into custody persons charged with being of unsound mind, and fixing the same fees for feeding insane prisoners as are allowed by the State for the feeding of other State prisoners". Approved July 7, 1943, General Acts of the Legislature of Alabama, 1943, page 578.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Fite	Hughes	Patton	
Boutwell	Gaither	Lamberth	Perry	
Burnside	Glover	Lowe	Russell	
Cater	Henderson	Mize	Swift	
Clayton	Hooton			—21

Nays: —0

The Bill:

H. 819. For the relief of James A. Head, in the sum of One Hundred Eighty-seven Dollars and Eighty-four Cents (\$187.84), in that, on, to-wit: July 30, 1947, a duly authorized agent, servant or employee of Jefferson County, Alabama, negligently drove a Jefferson County truck into the automobile of the said James A. Head, and damaged said automobile of James A. Head in the amount of One Hundred Eighty-seven Dollars and Eighty-four Cents (\$187.84), at or near Fairway Drive in Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patterson	
Allen	Fite	Kendall	Patton	
Boutwell	Gaither	Lowe	Perry	
Burnside	Harvey	Mize	Quarles	
Cater	Henderson	Owens	Swift	
Clayton	Howle			—21

Nays: —0

The Bill:

H. 788. To repeal an act of the Legislature of 1901, approved March 4, 1901, (Local Acts of 1901, page 2239) entitled "An Act to provide for the payment of state witnesses in criminal cases in Butler County, Alabama," as said Act was amended by a local act of the Legislature of 1931, approved June 30, 1931 (Local Acts of 1931, page 157).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Kendall	Patterson	
Allen	Glover	Lamberth	Patton	
Barrett	Golson	Lowe	Perry	
Bridges	Henderson	Mize	Swift	
Cater	Hooton	Owens	Wright	
Coleman	Howle			—21

Nays: —0

The Bill:

H. 787. To repeal a local law of the Legislature of Alabama of 1915 entitled "An Act to require the Court of County Commissioners of Butler County to publish monthly in a newspaper published in said county a statement showing the receipts and expenditures of money for said county."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Howle	Patton	
Allen	Glover	Kendall	Perry	
Barrett	Golson	Lamberth	Quarles	
Bridges	Hardwick	Lowe	Russell	
Burnside	Harvey	Mize	Swift	
Clayton	Henderson			—21

Nays:

—0

The Bill:

S. 536. To make additional provisions respecting the election of members of the board of directors of any public corporation hereafter organized for hospital purposes under the provisions of Act No. 46 adopted at the 1949 session of the Legislature of Alabama in each county having a population of more than 73,000 inhabitants and not more than 113,000 inhabitants according to the last or any subsequent Federal census.

was taken up.

Mr. Mize offered the following substitute for the bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To make additional provisions respecting the election of members of the board of directors of any public corporation hereafter organized for hospital purposes under the provisions of Act No. 46 adopted at the 1949 session of the Legislature of Alabama in each county having a population of more than 73,000 inhabitants and not more than 113,000 inhabitants according to the last or any subsequent Federal census.

Be It Enacted by the Legislature of Alabama:

In each county in the State of Alabama having a population of more than 73,000 inhabitants and not more than 113,000 inhabitants according to the last or any subsequent Federal census and in which a public corporation may hereafter be organized for hospital purposes under the provisions of Act No. 46 adopted

at the 1949 session of the Legislature of Alabama approved June 2, 1949, and entitled "An Act to authorize the incorporation in any county in this state of a public corporation for hospital purposes; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of such corporation; to provide for the dissolution of such corporation; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes", the governing body of the county shall elect members of the board of directors of such corporation from persons who shall be nominated as follows: the governing body of the municipality in which the county seat of the county is located shall have the power to nominate two directors; the governing body of each municipality in the county other than the municipality in which the county seat is located shall have the power to nominate one director; the County Medical Society shall have the power to nominate from its membership two directors, provided, that in the event there is no such society in the county then the Board of Health of the county shall have the power to nominate two directors; and each Judge of the Circuit Court of the county shall have the power to nominate one director. All and only persons so nominated shall be elected as members of the board of directors by the governing body of the county and the governing body of the county shall have no veto power over those nominated but shall be bound to elect those nominated. The governing body of the county shall elect, without nomination, two additional members of the board of directors. All members of the board of directors shall be qualified electors of the county. At the time of their election the governing body of the county shall have the power to divide the membership of the board of directors into three groups as nearly equal in number as may be possible and to allocate the members among the three groups. The first term of office of the directors in one group shall be two years; of the directors in another group, four years; and of the directors in the remaining group, six years; and thereafter the term of office of each director and of his successor shall be six years. Any vacancy in the membership of the board of directors shall be filled by election by the governing body of the county, upon nomination of the body or officer herein empowered

to nominate the director whose office is vacant, and without nomination as to the two members which the governing body may be empowered to elect without nomination. Each such nomination for the original members of the board of directors shall be made within thirty days after the certificate of incorporation of the corporation has been filed for record with the Judge of Probate of the county and all provisions of the certificate of incorporation shall be subject to the terms of this Act. The succeeding members of the board of directors shall be nominated not less than thirty days prior to the date of the commencement of their respective terms of office, and in the case of a vacancy during a term shall be nominated within thirty days after the vacancy occurs. If any nomination is not made within the time required by this act, the governing body of the county shall notify the nominating authority of such vacancy in its quota on said board and within thirty days thereafter said nominating authority shall make nomination to fill such vacancy. If such nominating authority shall not make nomination to fill such vacancy within thirty days after having been notified so to do by the governing body of the county, the governing body of the county shall have the power to elect, without nomination, sufficient members of the board of directors to fill the authorized membership thereof. All members of the board of directors shall hold office until their successors are duly elected and qualified.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Harvey	Lamberth	
Allen	Clayton	Henderson	Mize	
Barrett	Coleman	Hooton	Patton	
Boutwell	Golson	Hughes	Perry	
Bridges	Gulledge	Kendall	Swift	
Burnside	Hardwick			—21

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Harvey	Lamberth	
Allen	Clayton	Henderson	Mize	
Barrett	Coleman	Hooton	Patton	
Boutwell	Golson	Hughes	Perry	
Bridges	Gulledge	Kendall	Swift	
Burnside	Hardwick			—21

Nays:

—0

The Bill:

S. 253. To amend Section 94 of Title 36 of the 1940 Code of Alabama, which relates to motor vehicles.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 25; Nays 2.

Yeas:

Messrs.:	Clayton	Harvey	Lowe	
Allen	Coleman	Howle	Mize	
Barrett	Fite	Hughes	Owens	
Boutwell	Glover	Kendall	Patterson	
Bridges	Golson	Kimbrell	Patton	
Burnside	Gulledge	Lamberth	Swift	
Cater	Hardwick			—25

Nays: Messrs. Hooton and Quarles —2

The Bill:

S. 193. To provide for the Disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously and to make uniform the law with reference thereto.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clayton	Henderson	Patterson	
Allen	Coleman	Hooton	Patton	
Barrett	Fite	Howle	Perry	
Boutwell	Glover	Hughes	Quarles	
Bridges	Golson	Lamberth	Swift	
Burnside	Gulledge	Mize	Wright	
Cater	Hardwick			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Beck and Merrill:

H. 873. To propose and to provide for the submission of an amendment to the constitution of Alabama, which will be applicable to all counties except Mobile and Jefferson Counties, making further provisions respecting the use of the proceeds of special county taxes hereafter or heretofore voted for hospital purposes pursuant to any amendment to the constitution heretofore adopted, and authorizing the issuance by such counties and by public corporations therein of securities which shall not constitute bonds within the meaning of Section 222 of the constitution or debts within the meaning of Section 224 of the constitution.

By Mr. Merrill:

H. 808. To amend Title 10, Section 70 (7) of the Alabama Code of 1940 relating to directors' and stockholders' meetings of corporations within and without the State; authorizing and prescribing the condition upon which such meetings may be held; and requiring corporations holding such meetings without the State to designate an agent within the State, and for service upon him, and to file with such designated agent copies of the proceedings of such meetings held without the State.

By Mr. Brown:

H. 237. To amend Section 298 of Title 55 of the Code of Alabama (1940), which relates to the qualifications, compensation, and removal of the Director of the State Personnel Department.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 873. To the Committee on Constitution, and Constitutional Revisions and Amendments.

The above bill was read a first time at length as required by the Constitution.

H. B. 808. To the Committee on Corporations.

H. B. 237. To the Committee on Judiciary.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 305. To amend Section 713 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

Also:

S. 309. To amend Section 19 of Act No. 664, H. B. 791, approved July 5, 1940, entitled, "An Act To provide for the levy, assessment and collection of mileage taxes from motor carriers in the State of Alabama; to provide that all funds collected hereunder shall be paid into the State Treasury into the Motor Carrier Fund and for the expenditure of said funds; and to require and provide for giving security to the State for such taxes and provide penalties for violation of this Act and to provide for reciprocity with other States," (General Acts of 1939, p. 1057).

Also:

S. 310. To amend Section 5 of Act No. 169, H. 27, approved June 23, 1945, (General Acts, 1945, p. 285), which levies Forest Products Severance Tax.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

By Mr. Patterson:

S. 474. Relating to the times for holding court in the Twenty-sixth Judicial Circuit: fixing the times, dates, sessions, and terms of said court.

Also:

By Mr. Patterson:

S. 510. To authorize the President of Alabama Polytechnic Institute with the approval of the Board of Trustees to appoint and employ persons to act as police officers to protect the property of Alabama Polytechnic Institute from trespass and damage, and to define their jurisdiction, duties, and authority.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON THE DISAGREEMENT BETWEEN THE TWO HOUSES ON SENATE BILL 303

We the undersigned members of the Conference Committee appointed by the Senate and House of Representatives to reconcile the differences existing between the two Houses on Senate Bill 303 do hereby recommend as follows:

1. That Senate Bill 303 as amended and passed by the House of Representatives be amended by striking from Section 1 thereof the words "less the cost of collection" and by inserting in lieu thereof the words "the expense of collecting the same in such amount as may be appropriated by the Legislature out of said tax."

2. That Section 2 of said bill be amended so as to read as follows:

"Section 2. This Act shall be effective immediately, provided however that until Octobebr 1, 1949, the Department of Revenue

may continue to use such part of said tax as may be necessary to pay the cost of the collection of the tax."

3. That each of said Houses do pass said Senate Bill 303 as thus amended.

W. G. HARDWICK,
J. BRUCE HENDERSON,
R. J. LOWE,
Conferees on the part of the
Senate.

LAWRENCE DUMAS, JR.,
PELHAM J. MERRILL,
NORMAN W. HARRIS,
Conferees on the part of the
House.

CONFERENCE REPORT

On motion of Mr. Lowe, the Senate concurred in and adopted the foregoing Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 303. To amend Section 647 of Title 51 of the Code of Alabama (1940), as amended, which relates to the gasoline tax.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Clayton	Hooton	Owens
Allen	Coleman	Howle	Patterson
Barrett	Glover	Hughes	Patton
Boutwell	Golson	Kendall	Perry
Bridges	Gulledge	Kimbrell	Quarles
Burnside	Hardwick	Lamberth	Swift
Cater	Henderson	Lowe	Wright

—27

Nays:

—0

And said bill, as thus amended by the Conference report, was again read at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Clayton	Hooton	Patterson
Allen	Coleman	Howle	Patton
Barrett	Glover	Hughes	Perry
Boutwell	Golson	Kendall	Quarles
Bridges	Gulledge	Lamberth	Swift
Burnside	Hardwick	Lowe	Wright
Cater	Henderson	Owens	

—26

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Morring and Vann:

H. 837. To amend Section 15 of an Act entitled an Act "To establish in Precinct One in Madison County, Alabama, an Inferior Court in lieu of all Justices of the Peace and Notaries Public with the powers of a Justice of the Peace in the said Precinct, to be known as the Inferior Court of Huntsville, to define the jurisdiction and powers of said Court and the Judge thereof." Approved April 4, 1911, as amended by an Act of the Legislature approved March 2, 1931, and as further amended by an Act of the Legislature approved January 8, 1937. And as further amended by an Act of the Legislature approved June 2, 1943.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that at the 1949 regular session of the legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to wit:

To amend Section 15 of an Act entitled an Act "To establish in Precinct One in Madison County, Alabama, an Inferior Court in lieu of all Justices of the Peace and Notaries Public with the powers of a Justice of the Peace in the said Precinct, to be known as the Inferior Court of Huntsville, to define the jurisdiction and power of said Court and the Judge thereof." Approved April 4, 1911, as amended by an Act of the Legislature approved March 2, 1931, and as further amended by an Act of the Legislature approved January 8, 1937. And as further amended by an Act of the Legislature approved June 2, 1943.

Be It Enacted by the Legislature of Alabama:

Section One: That Section 15 of an Act entitled 'An Act to establish in Precinct One in Madison County, Alabama, an Inferior Court in lieu of all Justices of the Peace and Notaries Public with the powers of a Justice of the Peace in the said Precinct to be known as the Inferior Court of Huntsville, to define the jurisdiction and powers of said Court and the Judge thereof.' Approved April 4, 1911, as amended by an Act of the Legislature approved March 2, 1931, and as further amended by an Act of the Legislature approved January 8, 1937, and as further amended by an Act of the Legislature approved June 2, 1943, be and the same is hereby amended so as to read as follows: Section 15. The Judge of said Court shall receive a salary of Eighteen Hundred (1800.00) Dollars per annum, payable monthly upon warrant drawn upon the County Treasury of Madison County by the Chairman of the Board of County Commissioners of said County. The Clerk shall receive as compensation not more than One Hundred-twenty-five (125.00) Dollars per month out of the County Treasury of Madison County on certificate issued to the Chairman of the Board of County Commissioners of said County who shall thereupon issue a warrant in favor of said Clerk upon the County Treasury of said County therefor.

Section Two: All laws or parts of laws in conflict with this Act are hereby expressly repealed.

Section Three: This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 2, 9, 16, 23

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Reese T. Amis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Vice President of the Huntsville Times Company, Inc., a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 2, June 9, June 16, and June 23, all in the year 1949.

REESE T. AMIS.

Sworn to and subscribed before me June 23, 1949.

JAS. R. RECORD,
Notary Public.

Also:

By Messrs. Morring and Vann:

H. 838. To authorize the Board of Registrars of Madison County to employ a full-time clerk; prescribing his duties and qualifications, fixing his compensation and providing for supplies and equipment for his office.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that at the 1949 regular session of the legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to wit:

To authorie the Board of Registrars of Madison County to employ a full-time clerk; prescribing his duties and qualifications fixing his compensation and providing for supplies and equipment for his office.

Be It Enacter by the Lsgislature of Alabama:

Section 1. The Board of Registrars of Madison County is authorized to employ a clerk, subject to the approval by the Board of County Commissioners of Madison County, Alabama. The duties of the clerk shall be to submit to the Board revised lists of qualified electors of the county by placing the names of all persons in their proper ward, precinct, or district, and eliminating therefrom the names of all deceased, insane, non-resident, and fictitious persons, and those convicted of disqualifying crimes. The clerk shall attend to all clerical work of the Board, and he shall devote his entire time to duties imposed by the Board.

Section 2. The qualifications of the tion from clerk provided for herein shall be: graduation from high school, the ability to type, clerical experience, including experience in the keeping or records or graduation from college.

Section 3. The Board of County Commissioners shall be authorized to furnish to the Board of Registrars all the supplies and equipment, including filing cabinets for card files, stationery and stamps, necessary for the use of the clerk in the performance of his duties.

Section 4. The clerk provided for herein shall be paid a salary out of the county treasury of not less than one hundred twenty-five dollars nor more than two hundred twenty-five dollars per month, the exact amount to be fixed by the Board of County Commissioners.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.
Times May 20, 27 June 3 and 10.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Reese T. Amis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Vice President of the Huntsville Times Company, Inc., a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 20, May 27, June 3, and June 10, all in the year 1949.

REESE T. AMIS.

Sworn to and subscribed before me June 10, 1949.

JAS. R. RECORD,
Notary Public.

Also:

By Mr. Inzer:

H. 887. To propose an amendment to the Constitution relating to the levy and collection of a special property tax for public school purposes in St. Clair County.

Also:

By Messrs. Miller and Roberts:

H. 883. Relating to Etowah County: Authorizing and requiring the governing body of Etowah County to provide equipment, supplies, clerks, deputies and other assistants for certain county officers and offices; providing that such county officials shall select, fix the compensation of, and have the right to discharge their respective clerks, deputies and assistants; providing that the maximum amount of the combined salaries of clerks, deputies and assistants in each of such offices shall be determined by the county governing body; and providing that the salaries and compensation provided under the provisions hereof shall be in lieu of all other compensation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Etowah County: Authorizing and requiring the governing body of Etowah County to provide equipment, supplies, clerks, deputies and other assistants for certain county officers and offices; providing that such county officials shall select, fix the compensation of, and have the right to discharge their respective clerks, deputies and assistants; providing that the maximum amount of the combined salaries

of clerks, deputies and assistants in each of such offices shall be determined by the county governing body; and providing that the salaries and compensation provided under the provisions hereof shall be in lieu of all other compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue, or like governing body, of Etowah County, Alabama, is required, authorized and empowered to provide sufficient equipment, supplies, clerks, deputies and other assistants to the probate judge, the tax assessor, the tax collector and the clerk of the circuit court, of Etowah County for the efficient operation of their respective offices; but said probate judge, tax assessor, tax collector and clerk of the circuit court shall select, and fix the compensation of, such clerks, deputies and assistants for their respective offices; provided, however, that the combined salaries or compensation of said clerks, deputies and assistants in each of said offices shall not exceed an amount deemed to be reasonable and necessary by said Board of Revenue or like governing body, of Etowah County for the efficient operation of each of said offices. Said allowances for salaries or compensation shall be fixed by Resolution of said Board of Revenue, or like governing body, and may be changed at any time by similar Resolution.

Section 2. Said probate judge, tax assessor, tax collector, and clerk of the circuit court shall have the right to discharge thier respective clerks, deputies, and assistants at will, as they shall serve only at the pleasure of the officer appointing them. The salaries or compensation of said clerks, deputies and assistants shall be paid in equal monthly installments out of the general funds of Etowah County, upon separate warrants drawn in the same manner as other employees of Etowah County are paid.

Section 3. Immediately upon the passage and approval of this Act, it shall be the duty of the Board of Revenue of Etowah County to ascertain, determine and fix by Resolution the amount of the combined salaries or compensation to be paid to the clerks, deputies or other assistants for each of said offices.

Section 4. The provision herein made for salaries or compensation of said deputies, clerks, or other assistants in said offices shall be in lieu of all other provisions now made by law for the payment of such salaries or compensation.

Section 5. All laws and parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 6. This Act shall take affect upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JAMES B. ALLEN,
E. L. ROBERTS,
EDWARD B. MILLER.

June 14, 21, 28. July 5.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA ETOWAH COUNTY

I Walter Betz, Cashier of the Gadsden Times, a newspaper published in Etowah County, Alabama, do hereby certify that the following legal advertisement a copy of which is hereto attached was published in said newspaper on the following dates, June 14th, 21, 28th, and July 5th, 1949.

WALTER BETZ.

Sworn to and subscribed before me of this the 12th day of July 1949.

FLORINE S. TAYLOR,
Notary Public.

Also:

By Mr. Denton:

H. 888. To amend Section 1 of an Act entitled "To allow the Sheriff of Blount County, Alabama, an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy Sheriff and to make the same payable out of the general fund of Blount County in monthly installments," approved September 6, 1935.

With notice and proof thereto attached and herewith exhibited as follows:

PROPOSED LOCAL LEGISLATION

Notice is hereby given that at the present session of the Legislature I will introduce an amendment to the Local Act allowing an additional deputy for the sheriff of Blount County, which amendment shall fix the salary of said additional deputy at Twenty One Hundred Dollars per annum; said Local Act remaining in full force and effect otherwise.

N. C. DENTON,
Representative.

16J4t

THE STATE OF ALABAMA BLOUNT COUNTY

Personally appeared before the undersigned authority, Rice M. Howard, who, being duly sworn, deposes and says that he is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation—local was published for 4 consecutive weeks in said newspaper, commencing on the 16 day of June, 1949, and ending on the 7 day of July, 1949.

MRS. RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me this 11 day of July, 1949.

J. E. BAINS,
Notary Public.

Also:

By Mr. Denton:

H. 889. To amend Section 1 of an Act entitled "To prescribe the salary and the amount of payment of the jailer of Blount County," approved June 3, 1943.

With notice and proof thereto attached and herewith exhibited as follows:

PROPOSED LOCAL LEGISLATION

Notice is hereby given that at the present session of the Legislature I will introduce an amendment to the Local Act which sets the salary of the Jailer of Blount County, which amendment shall fix his said salary at Eighteen Hundred Dollars per annum; said Local Act remaining in full force and effect otherwise.

N. C. DENTON,
Representative.

16J4t

THE STATE OF ALABAMA BLOUNT COUNTY

Personally appeared before the undersigned authority, Rice M. Howard, who, being duly sworn, deposes and says that he is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed local legislation was published

for 4 consecutive weeks in said newspaper, commencing on the 16 day of June, 1949, and ending on the 7 day of July, 1949.

MRS. RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me this 11 day of July, 1949.

J. E. BAINS,
Notary Public.

Also:

By Mr. Denton:

H. 890. To amend Section 1 of an Act entitled "To prescribe the salary and amount of payment of the same of the Chief Deputy Sheriff of Blount County," approved June 3, 1943.

With notice and proof thereto attached and herewith exhibited as follows:

PROPOSED LOCAL LEGISLATION

Notice is hereby given that at the present session of the Legislature I will introduce an amendment to the Local Act which sets the salary of the chief deputy sheriff of Blount County, which amendment shall fix his salary at Twenty Seven Hundred Dollars per annum; said Local Act remaining in full force and effect otherwise.

N. C. DENTON,
Representative.

16J4t

THE STATE OF ALABAMA BLOUNT COUNTY

Personally appeared before the undersigned authority, Rice M. Howard, who, being duly sworn, deposes and says that he is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation—local was published for 4 consecutive weeks in said newspaper, commencing on the 16 day of June, 1949, and ending on the 7 day of July, 1949.

MRS. RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me this 11 day of July, 1949.

J. E. BAINS,
Notary Public.

Also:

By Mr. Lovelace:

H. 835. To amend an Act entitled:—"An Act to authorized the Board of Revenue of Escambia County, Ala. to allow and pay the necessary, actual, reasonable, and monthly expenses of the members of said Board in the performance of their public and official duties as members of said Board for the amount agreed on by said Board of (\$65.00) Sixty Five Dollars per month for each member and not less than said amount until the further orders of said Board."

With notice and proof thereto attached and herewith exhibited as follows:

PUBLIC NOTICE

STATE OF ALABAMA ESCAMBIA COUNTY CITY OF BREWTON PROBATE OFFICE

That under and by virtue of an Order adopted by the Board of Revenue of Escambia County, Ala. on June 13th, 1949, public notice is hereby

given and published without cost to the state, in said Escambia County, Ala. where the matter or things to be effected is situated,—That said Board intends to present a Bill to the Legislature of Alabama, now in session at Montgomery, Ala. and will apply for and request the passage of said Bill and its Enactment into law: That the substance of said Bill and said proposed law is as follows:—

A BILL
ENTITLED:—
AN ACT

To amend an Act entitled:—“An Act to authorized the Board of Revenue of Escambia County, Ala. to allow and pay the necessary, actual, reasonable, and monthly expenses of the members of said Board in the performance of their public and official duties as members of said Board for the amount agreed on by said Board of (\$65.00) Sixty Five Dollars per month for each member and not less than said amount until the further orders of said Board.”

Be It Enacted by the Legislature of Alabama:

Section 1. That the local Act of the Ala. Legislature No. 382 approved September 16th, 1947, found on pages 253-254 of the Local Acts of 1947, and being “An Act to authorize the Board of Revenue of Escambia County, Ala. to allow and pay the necessary, actual, reasonable, and monthly expenses of the Members of said Board in the performance of their Public and Official Duties as Members of said Board for the amount agreed on by said Board, of (\$65.00) Sixty Five Dollars per month for each member and not less than said amount until the further orders of said Board,—and Sections 1, 2, and 3, of said Local Act, are hereby amended, so as to read as follow:—

Section 2. That Section 1, of said Act is amended so as to read as follows:—“The Board of Revenue of Escambia County, Alabama.” is hereby authorized to allow and pay to each of the four members of said Board representing the four County Road Districts in said County for his necessary, actual, usual, and monthly expenses incurred in the performance of his public and official duties, on and after September 16th, 1949, the sum of (\$600.00- Six Hundred Dollars per annum, which allowance shall be paid in equal monthly installments out of the County Treasury on the last day of each month.”

Section 3. That Section 2, of said Act is hereby amended so as to read as follows:— “That on account of the now prevailing high cost of Motor Fuel, gasoline, and lubricating oil, all of which is now used and required by law to be used, by said Members in the performance of their said Official duties, but at their own private cost and expenses, under the law governing said Board, and on account of the present high cost of everything now prevailing:—on account of the large, extensive, and heavy State and County Program agreed on by said County for the present and near future for the construction and acquirement of rights of way for state Roads and Farm to Market Paved roads, for the present and near future, and their increase hereafter; there being now under construction, a number of such road paving projects in said County which average a distance of about (15) fifteen miles each from the residences of the members of said Board, and also for the maintenance and repairs of all County Roads and Bridges heretofore constructed and those now being planned for construction, and the purchase of labor and material under said Program. That all of the same must be done under the personal directions, control, and supervision of said Board and its Members. Said Board being responsible for the construction, maintenance, and repairs of all County Roads and Bridges throughout the County as now required by the law governing said Board. That the foregoing are some of the reasons for the allowance of said expenses.”

Section 4:—That Section 3, of said Act is hereby amended so as to read as follows: - That said Board of Revenue may hereafter reduce the amount of said allowance herein provided for, if as, and when the general economic conditions shall be adjusted, reduced, or become normal. That said Board may if conditions warrant it cancel said allowance or refuse to allow the same. That this Act shall become effective immediately upon its passage and approval by the Governor."

That this notice is published in the Flomaton Journal, a weekly newspaper published in the Town of Flomaton, Ala. within said County and is published in said newspaper for not less than (4) four consecutive weeks prior to the introduction of said Bill in the Legislature; That proof by affidavit, that said notice has been duly given will be exhibited in each House of the Legislature and said proof spread upon the Journals of each House as required by law including Section 106 of the Constitution of Alabama. Witness this the 14th day of June 1949.

Escambia County, Ala.

The Board of Revenue of said County.

By THOMAS A. PEAVY,
Chairman of said Board and Judge of Probate of said County.

AFFIDAVIT

STATE OF ALABAMA
ESCAMBIA COUNTY

Town of Flomaton,
Flomaton Journal Office.

Before me the undersigned Notary Public in and for Escambia County, Ala. this day personally appeared the undersigned publisher and Manager of,— "The Flomaton Journal",— a weekly newspaper published weekly every Thursday in the Town of Flomaton, Escambia County, Ala. and he being by me first duly sworn deposes and says as follows:—

(1) That he, said undersigned Manager, is the Publisher of said newspaper; That the foregoing attached printed notice given by said County annexed to this Affidavit appeared in and was published in said newspaper for (4) four consecutive weeks.

(2) That said notice was published in said newspaper on each Thursday,—the (16th.) sixteenth day; the (23rd.) twenty third day; and the (30th.) thirtieth day of June 1949; Also on Thursday the (7th.) seventh day of July 1949.

(3) That said notice shows the substance of a proposed law and Local Bill of said County which it intends to present to the Alabama Legislature now in session at Montgomery, Ala. and apply for its consideration, passage, and Enactment into Law. That all of the foregoing is true and correct, as authorized by law and Section 106 of the Constitution. Witness my hand on this the 7th. day of July 1949.

THOMAS F. VICKERY,

As Publisher and Manager of said Flomaton Journal.

This is to certify:— That all of the foregoing was sworn to, and subscribed to before me, in the Town of Flomaton, Ala., as above set out and shown. In Witness whereof, I have hereunto set my hand and official seal at Flomaton, Ala., on this the 8th day of July 1949.

W. C. O'GUINN,
Notary Public.

Notary Public, Escambia County, Alabama. My Commission Expires January 7, 1951. Bonded by American Surety Co. of N. Y.
(Notary Seal)

Also:

By Mr. Brannan:

H. 830. To authorize the governing body of Baldwin County, Alabama, to impose an excise tax on persons, corporations, copartnerships,

companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for enforcement of this act and fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of the said tax.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that it is proposed to introduce in the present session of the legislature of Alabama, and to procure the passage of a local law enabling the County Commission of Baldwin County, Alabama to levy a gasoline tax not exceeding one cent per gallon, on persons, corporations, copartnerships, companies agencies or associations or others engaged in the business of selling, distributing, storing or withdrawing from storage gasoline or other liquid motor fuels or substitutes therefor in Baldwin County, Alabama, the proceeds thereof to be used for the construction, reconstruction, surfacing, maintenance and repairs of public roads in said County.

A BILL TO BE ENTITLED AN ACT

To authorize the governing body of Baldwin County, Alabama, to impose an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for enforcement of this act and fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of the said tax.

Be It Enacted by the Legislature of Alabama:

Section 1: The term "gasoline" as used in this Act shall include gasoline, naphtha and other liquid motor fuels or any devices or substitutes therefor commonly used in internal combustion engines, provided that nothing contained in this Act shall apply to those products commonly known as kerosene oil, fuel, oil, and crude oil used for lighting or heating purposes. The term "person" means and includes every person, corporation, copartnership, company, agency or association, singular or plural. The term "distributor" means and includes every person who shall engage in the selling of gasoline as herein defined in Baldwin County, by wholesale, in domestic trade, but shall not apply to any transaction by such distributor in interstate commerce. The term "retail dealer" shall include any person herein defined as the distributor who is engaged in the sale of gasoline as herein defined at any place in Baldwin County in broken quantities. The term "storer" as used herein shall include any person who ships gasoline into Baldwin County in tank quantities and stores the same and withdraws or uses same for any purpose.

Section 2: The governing body of Baldwin County, Alabama, when

authorized and empowered by a vote of the qualified electors of the County as herein provided, may impose an excise tax of not exceeding one cent per gallon on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatever gasoline or other liquid motor fuels or devices or substitutes therefor in Baldwin County, Alabama, and to require every distributor, retail dealer or storer of gasoline as herein defined to pay an excise tax in such amount as the said governing body shall impose not exceeding one cent per gallon upon the selling, distributing or withdrawing from storage for any use gasoline as herein defined in Baldwin County, Alabama; provided that the excise tax authorized to be levied by this Act shall not be levied upon the sale of gasoline in interstate commerce, and provided further that if the excise tax imposed by the said governing body upon the sale of such gasoline shall have been paid by a distributor or by a retail dealer or storer, such payment shall be sufficient, the intention being that the tax shall not be paid but once. The excise tax imposed by the said governing body under this Act shall apply to persons, firms, corporations, dealers or distributors storing gasoline and distributing the same or allowing the same to be withdrawn from storage, whether such withdrawal be for sale or other use, provided that sellers of gasoline and its substitutes paying the tax herein provided may pay the same computed and paid on the basis of their sales as hereinafter required, and storers and distributors shall compute and pay such tax on the basis of their withdrawals or distributions. The tax herein authorized to be imposed shall be in addition to any and all excise or other taxes imposed on gasoline, naptha and other liquid motor fuels or any device or substitute therefor, or on the business of selling, distributing, storing or withdrawing from storage for any purpose gasoline as herein defined by the State of Alabama or any other agency or subdivision of the State of Alabama, or the United States.

Section 3: On or before the 20th day of each month after a tax is imposed by authority of this Act, every person upon whom the excise tax is levied shall render to the governing body of such county on form prescribed by such governing body a true and correct statement of all sales and withdrawals of gasoline made by him or them during the next preceding month, liable for payment of the excise tax imposed by said governing body under authority of this Act, and shall furnish to said governing body such additional information as such governing body may require upon blanks to be formulated and furnished by said governing body, and at the time of making such report shall pay to the said governing body an amount of money equal to the excise tax levied under authority of this Act. The statement herein required to be made by the distributor, storer or retail dealer shall be sworn to before some officer authorized to administer oaths, and any false statement sworn to shall constitute perjury, and upon conviction thereupon the person so convicted shall be punished as provided by the law for the crime of perjury.

Section 4: All distributors, storers and retail dealers shall keep for not less than two years within the State of Alabama at some certain place or office such books, documents or papers as will clearly show the amount of sale or withdrawals of gasoline made in Baldwin County taxed under this act.

Section 5: Within thirty days after any tax shall have been levied under authority of this Act every distributor, storer or retail dealer engaged in the sale or withdrawal of gasoline in Baldwin County shall make a report on blanks furnished under Section Two hereof to the governing body of said County, showing the place and post-office address at which he is engaged in the business of distributor or storer or retail dealer in gasoline within said County, which information shall be entered by the governing body of said County on a book kept for that purpose, and should such distributor, storer or retail dealer move his place of business from one business address to another, such distributor, storer or retail

dealer shall within thirty days thereafter notify the said governing body of such removal, giving the former place and post-office address and also the place and post-office address to which his place of business has been removed. After the tax imposed under this Act has become effective, no person shall become a distributor, storer or seller of gasoline in said County until he shall have made such reports to the said governing body.

Section 6: If any distributor, storer or retail dealer of gasoline in said County shall fail to make the reports or any of them as required in any provision of this Act, or shall fail to comply with any regulation adopted for the collection of said tax by the governing body of said County, within the time required for making such reports, or shall fail to pay the tax imposed within the time fixed for the payment thereof, such distributor, storer, or retail dealer shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$50.00 nor more than \$300.00 for each offense.

Section 7: It shall be the duty of the governing body of said County to enforce the provision of this Act upon its imposing the tax hereunder, and it shall have the right itself, or its members or its agents, to examine the books, reports and accounts of every distributor, storer or retail dealer of gasoline on which such tax has been imposed, and to make any and all rules and regulations necessary and proper for the collection of such tax.

Section 8: If any distributor, storer or retail dealer in gasoline shall fail to make monthly reports or shall fail to pay the tax imposed under authority of this Act the tax shall be deemed delinquent within the meaning of this Act and there shall be added to the amount of his tax a penalty of twenty-five percent of the tax due, provided, if in the opinion of the governing body of the said County a good and sufficient cause or reason is shown for such delinquency, the penalty may be remitted or waived. The said governing body shall be authorized and empowered to make returns for delinquent tax payers upon such information as it may reasonably obtain and add to that the penalty as prescribed by this Act. If any person shall be delinquent in the payment of any tax imposed under the authority of this act, the governing body of said County shall issue execution for the collection of the same, directed to any Sheriff of the State of Alabama, who shall proceed to collect the same in the manner now provided by law for the collection of delinquent taxes by the County Tax Collector and make return of such execution to the governing body issuing the same. The tax herein authorized to be levied and the penalties herein provided for, shall be held as a debt payable to the County of Baldwin by the person against whom the same shall have been imposed or against whom the penalties shall have accrued, and all such taxes and penalties shall be a lien upon the property in said County and elsewhere in this State of the person against whom said tax shall have been imposed and the penalties shall have accrued.

Section 9: The acceptance of any amount paid for the excise tax imposed under this Act shall not preclude the collection of the amount actually due. However, the amount actually paid shall constitute a credit against the amount actually due.

Section 10: Any distributor, storer or dealer against whom shall be imposed any tax authorized by this Act who shall violate any provisions of this Act, or shall fail to comply with any reasonable rule or regulation promulgated hereunder, may be restrained, and proper prosecution instituted in the name of said County by the Attorney General of the State of Alabama, or by such counsel as the governing body of said County shall direct, from distributing, selling, storing or withdrawing from storage any gasoline the sale or withdrawal of which is taxable until such person shall have complied with the provisions of this Act.

Section 11: Each agent of any railroad company, bus or truck operator or other transportation company or agency operating in Baldwin

County shall report to the governing body of said County on the first day of October, January, April and July of each year all shipments of gasoline as defined in this Act or substitute therefor handled by him or through the station or office at which he is the agent, and delivered to any person in Baldwin County, Alabama, during the preceding three months, giving the names and address of the consignor or consignee shipping and receiving said gasoline or substitute therefor and the number of gallons or pounds contained in each and every shipment.

Section 12: Except as herein otherwise provided, the proceeds of any tax imposed under authority of this Act shall be used exclusively for the construction, reconstruction, surfacing and maintenance and repair of public roads and bridges in Baldwin County.

Section 13: Upon the request of the governing body of such County, the State Department of Revenue of Alabama, with the approval of the Governor, may collect the tax imposed under this Act for and on behalf of Baldwin County from any or all of the persons disobeying the tax levied hereunder; and in that event it is given all the powers, jurisdiction, authority and privileges granted to the governing body of Baldwin County, hereunder, and all reports, payments and information required to be made, paid or given to the governing body of such County shall be made, paid or given to the State Department of Revenue under the penalties and subject to the prosecution prescribed herein. This section being for the benefit of the County, the State Department of Revenue and the State of Alabama, shall be chargeable only with the tax actually collected by it. The State Department of Revenue, upon collection of such tax, shall, within five days remit the same to the governing body of Baldwin County.

Section 14: The governing body of said County may borrow against any tax imposed under this act and may pledge the taxes when collected to secure any loan made in anticipation of the same, or may pledge the same in payment of any obligation incurred for the purposes for which the tax is authorized to be levied, provided, however, that it shall not borrow more than the income from such tax for two years estimated on the returns from the said tax for the three calendar months immediately preceding; nor shall it pledge the same for any obligation in excess of the receipts for two years estimated upon the receipts for the preceding three months; nor shall the receipts for such tax be pledged in an amount more than the estimated amount to accrue prior to the next general election at which members of the legislature are elected.

Section 15: Before any tax is levied under authority of this Act, the governing body of said County shall first submit the question as to whether or not such tax shall be levied, the length of time it shall run and the rate of the tax, to the qualified electors of said County at an election, which said election shall be called in the following manner; The governing body of such County shall pass a resolution reciting that in the opinion of the said governing body it is to the interest of said county that such tax be levied for the purposes authorized in this Act and calling upon the Probate Judge, the Sheriff and the Circuit Clerk of said County to call an election for the purpose of submitting to the qualified electors the question as to whether or not the tax authorized hereunder shall be levied stating the rate proposed and the time which the said tax shall run. Upon such certificate the Probate Judge, the Sheriff and Clerk of said County shall by proclamation call an election which proclamation shall be in substance as follows: "To the Electors of Baldwin County, Alabama: The governing body of said county having passed a resolution reciting that in its opinion it is to the interest of the County that an excise tax of not less than cent be imposed on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing, or withdrawing from storage for any purpose whatever gasoline or other liquid motor fuels or divides or substitutes thereof in Baldwin County, Alabama, for a period of years and which said resolution requests the undersigned officials to call an

election to submit to the qualified electors the aforesaid proposition; Now, therefore, an election be and is hereby called to be held at the several polling places in Baldwin County, Alabama, on the _____ day of _____, 19____, at which said election the question as to whether or not the said tax shall be levied in this county and shall be voted upon by the qualified voters of said county.

Witness our hands this the _____ day of _____, 19____.

 Probate Judge

 Sheriff

 Clerk

Notice of the said election shall be given by publication of the aforesaid proclamation once a week for four consecutive weeks in any newspaper published in said County. The said election shall be held, conducted and canvass of the returns thereof made and certified in the same manner as elections for County officers. Except as herein otherwise provided, the general statute relating to the election for County offices shall govern in election held hereunder. The Probate Judge shall cause ballots to be printed and distributed at such election which said ballot shall be in substance as follows: "Shall an excise tax of _____ cent per gallon be imposed on persons, corporation, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatever gasoline or other liquid motor fuels or devices or substitutes therefor in Baldwin County, Alabama, for a period of _____ commencing on the _____ day of _____, 19____." And under the said above writing shall appear on the left-hand side the words "For Said Tax" with appropriate lines or brackets marked "Yes", and on the right-hand side the words "Against Said Tax" with appropriate lines or brackets marked "No", and the person desiring to vote shall indicate his choice by making a cross mark on the line or bracket opposite or under the words "Yes" or "No", whichever shall indicate his choice. The Probate Judge, Sheriff and Circuit Clerk of said County shall certify the results of said election to the governing body of said County, and if a majority voting at said election shall have voted for such tax, the said governing body may at its next regular meeting after such certificate is received by it impose the said tax in the amount and for the time submitted on the ballot.

Section 16: Should any section, paragraph or portion of this Act be declared unconstitutional, it shall not invalidate the remaining sections, paragraphs or portions hereof.

Section 17: This act shall go into effect immediately upon its passage and approval. 20-4tc.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
 BALDWIN COUNTY

Jimmy Faulkner, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill To Be Entitled An Act was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication June 9, 1949, Vol. 60, No. 20.
 Date of 2nd publication June 16, 1949, Vol. 60, No. 21.
 Date of 3rd publication June 23, 1949, Vol. 60, No. 22.
 Date of 4th publication June 30, 1949, Vol. 60, No. 23.

JIMMY FAULKNER,
 Publisher.

Subscribed and sworn before the undersigned this 30 day of June, 1949.

DOROTHY MARTIN,
Notary Public, Baldwin County.

Also:

By Mr. Brannan:

H. 831. To extend the boundary lines of the Town of Daphne, in Baldwin County, Alabama, so as to include in the territory of the said corporation of the Town of Daphne, in addition to the territory now embraced therein, the following described lands, to-wit: Beginning at the Northeast corner of Section 17, Township 5 South, Range 2 East, Baldwin County, Alabama, run thence South along the East line of Sections 17 and 20 to the South-east corner of Section 20, Township 5 South, Range 2 East, thence West to the half section post on the South line of Section 20, being the Southeast corner of the present corporate limits of the Town of Daphne, thence North along the center line of said Sections 20 and 17, which is the East boundary line of the corporate limits of the Town of Daphne, to the half section post on the North line of said Section 17, which is the Northeast corner of the corporate limits of the Town of Daphne, thence East along North line of said Section 17, to the point of beginning, the lands added to the corporate limits of the Town of Daphne by this Act being the East half of Section 17 and the East half of Section 20, Township 5 South, Range 2 East, Baldwin County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that it is proposed to introduce in the present session of the legislature of Alabama, and to procure the passage of a local law extending the Corporate limits of the Town of Daphne so as to extend the same one-half mile East and one-half mile South and which said bill will be substantially in words and figures as follows:

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the Town of Daphne, in Baldwin County Alabama, so as to include in the territory of the said corporation of the Town of Daphne, in addition to the territory now embraced therein, the following described lands, to-wit:

Begin at the Northeast corner of Section 17, Township 5 South, Range 2 East, in Baldwin County, Alabama, run thence South along the East line of Sections 17, 20 and 29 of said Township 5 South, Range 2 East to a point 6/10 of a mile South of the Northeast corner of said Section 29, thence West to Mobile Bay, thence North along the meanders of Mobile Bay to the South line of Section 19, Township 5 South, Range 2 East, thence East along South line of Sections 19 and 20 to the Northeast corner of the Northwest quarter of said Section 29, thence North along the half section line running North and South of said Section 20 and 17 to the North line of said Section 17, thence East along the North line of said Section 17, to the point of beginning. The above described property being in Baldwin County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Daphne, in Baldwin County, Alabama, be and the same are hereby extended so as to include in the territory of said corporation of the said Town of Daphne, in

addition to the territory now embraced therein, the following described lands, to-wit: Begin at the Northeast corner of Section 17, Township 5 South, Range 2 East, in Baldwin County Alabama, run thence South along the East line of Sections 17, 20 and 29 of said Township 5 South, Range 2 East to a point 6/10 of a mile South of the Northeast corner of Bay, thence North along the meanders of Mobile Bay to the South line of Sec- said Section 29, thence West to Mobile tion 19, Township 5 South, Range 2 East, thence East along South line of Sections 19 and 20 to the Northeast corner of the Northwest quarter of said Section 29, thence North along the half section line running North and South of said Section 20 and 17 to the North line of said Section 17, thence East along the North line of said Section 17, to the point of beginning. The above described property being in Baldwin County, Alabama.

Section 2. This Act shall become effective upon its passage and approval or otherwise becoming a law. 18-4tc.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BALDWIN COUNTY

Jimmy Faulkner, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill To Be Entitled An Act was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication May 26, 1949, Vol. 60, No. 18.

Date of 2nd publication June 2, 1949, Vol. 60, No. 19.

Date of 3rd publication June 9, 1949, Vol. 60, No. 20.

Date of 4th publication June 16, 1949, Vo. 60, No. 21.

JIMMY FAULKNER,
Publisher.

Subscribed and sworn before the undersigned this 16 day of June, 1949.

DOROTHY MARTIN,
Notary Public, Baldwin County.

Also:

By Mr. Brannan:

H. 833. For the relief of Lloyd Martin by the payment to him of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for damages to the said Lloyd Martin, on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Lloyd Martin has no recourse at law.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

For the relief of Lloyd Martin by the payment to him of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for damages to the said Lloyd Martin, on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Bald-

win County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Lloyd Martin has no recourse at law.

Be It Enacted by the State of Alabama:

Section 1. That the County Commission of Baldwin County, Alabama, be and hereby is authorized, directed and required to pay to Lloyd Martin the sum of Twelve Hundred Fifty Dollars out of moneys in the General Fund of Baldwin County, Alabama, not otherwise appropriated, as compensation for the damages to the said Lloyd Martin for personal injuries, and expenses resulting therefrom, on the 4th day of December, 1947, as a direct consequence of the negligence of a County Employee in and about the operation of a County truck on the public highway of Alabama, in the line and scope of his duty as an employee of Baldwin County, Alabama under such conditions that the said Lloyd Martin has no recourse at law.

Section 2. That the County Commission is hereby authorized, directed and required to issue its warrant in the said sum of Twelve Hundred Fifty Dollars to the said Lloyd Martin and the County Treasurer be and is hereby authorized and directed to pay the same when and as the same is presented for payment, in like manner as other lawful claims against said County are paid.

Section 3. All laws or parts of laws in conflict herewith are expressly repealed. 20-4tc.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BALDWIN COUNTY

Jimmy Faulkner, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill To Be Entitled An Act was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication June 9, 1949, Vol. 60, No. 20.

Date of 2nd publication June 16, 1949, Vol. 60, No. 21.

Date of 3rd publication June 23, 1949, Vol. 60, No. 22.

Date of 4th publication June 30, 1949, Vol. 60, No. 23.

JIMMY FAULKNER,
Publisher.

Subscribed and sworn before the undersigned this 30 day of June, 1949.

DOROTHY MARTIN,
Notary Public, Baldwin County.

Also:

By Mr. Brannan:

H. 832. For the relief of E. F. Stuart by the payment to him of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for damages to the said E. F. Stuart, on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said E. F. Stuart has no recourse at law.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

For the relief of E. F. Stuart by the payment to him of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for damages to the said E. F. Stuart, on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said E. F. Stuart has no recourse at law.

Be It Enacted by the Legislature of Alabama:

Section 1. That the County Commission of Baldwin County, Alabama, be and hereby is authorized directed and required to pay to E. F. Stuart the sum of Twenty-five Hundred Dollars out of moneys in the General Fund of Baldwin County Alabmaa not otherwise appropriated as compensation for the damages to the said E. F. Stuart for property damages and personal injuries and expenses resulting therefrom, on the 4th day of December, 1947, as a direct consequence of the negligence of a County employee in and about the operation of a County truck on the public highway of Alabama, in the line and scope of his duty as an employee of Baldwin County, Alabama, under such conditions that the said E. F. Stuart has no recourse at law.

Section 2. That the County Commission is hereby authorized, directed and required to issue its warrant in the said sum of Twenty-five Hundred Dollars to the said E. F. Stuart and the County Treasurer be and is hereby authorized and directed to pay the same when and as the same is presented for payment, in like manner as other lawful claims against said County are paid.

Section 3. All laws or parts of laws in conflict herewith are expressly repealed. 20-4tc.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BALDWIN COUNTY

Jimmy Faulkner, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill To Be Entitled An Act was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication June 9, 1949, Vol. 60, No. 20.

Date of 2nd publication June 16, 1949, Vol. 60, No. 21.

Date of 3rd publication June 23, 1949, Vol. 60, No. 22.

Date of 4th publication June 30, 1949, Vol. 60, No. 23.

JIMMY FAULKNER,
Publisher.

Subscribed and sworn before the undersigned this 30 day of June, 1949.

DOROTHY MARTIN,
Notary Public, Baldwin County.

Also:

By Mr. Brannan:

H. 852. To abolish the office of Deputy Circuit Solicitor and County Solicitor for Baldwin County, Alabama, and to require the Circuit Solici-

tor of the 28th Judicial Circuit to represent the State of Alabama and Baldwin County in all ways required of the County Solicitor by law.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that it is proposed to introduce at the present session of the Legislature of Alabama and to procure the passage of a local law abolishing the office of the County Solicitor of Baldwin County, Alabama and conferring the duties thereof on the Circuit Solicitor of Baldwin County, Alabama, which act will read substantially as follows:

AN ACT

To abolish the office of Deputy Circuit Solicitor and County Solicitor for Baldwin County, Alabama, and to require the Circuit Solicitor of the 28th Judicial Circuit to represent the State of Alabama and Baldwin County in all ways required of the County Solicitor by law.

Be It Enacted by the Legislature of Alabama:

Section 1: The office of County Solicitor for Baldwin County is hereby abolished.

Section 2: The office of Deputy Circuit Solicitor for Baldwin County is hereby abolished and, notwithstanding the provisions of Section 256 of Title 13 of the 1940 Code, the Circuit Solicitor of the 28th Judicial Circuit, which includes Baldwin County, shall not appoint nor be authorized to appoint a deputy for Baldwin County.

Section 3: That as an additional duty to all duties now required by law of the Circuit Solicitor of the 28th Judicial Circuit, which includes Baldwin County, it shall be the duty of such Solicitor from the date of the passage and approval of this Act to represent the State of Alabama and Baldwin County in all cases, actions and proceedings in which the State of Alabama and Baldwin County would have been represented by the County Solicitor of Baldwin County, Alabama.

Section 4: Should any section, paragraph or portion of this act be declared unconstitutional, it shall not invalidate the remaining sections, paragraphs or portions hereof.

Section 5: That this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, however, nothing herein shall be construed so as to prevent the continuance in office of the present County Solicitor of Baldwin County, Alabama, during the term for which he was elected, and if he so continues, he will perform the duties and receive remuneration therefor as provided by law.

21-4tc.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BALDWIN COUNTY

Jimmy Faulkner, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of an Act to Abolish the office of Deputy Solicitor.

Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication June 16, 1949, Vol. 60, No. 21.

Date of 2nd publication June 23, 1949, Vol. 60, No. 22.

Date of 3rd publication June 30, 1949, Vol. 60, No. 23.

Date of 4th publication, July 7, 1949, Vol. 60, No. 24.

JIMMY FAULKNER,
Publisher.

Subscribed and sworn before the undersigned this 8 day of July, 1947.

DOROTHY MARTIN,
Notary Public, Baldwin County.

Also:

By Messrs. Meeks, Beatty, Ingalls and Stone:

H. 857. To provide that whenever a sentence is suspended and the defendant released on probation in the Juvenile and Domestic Relations Courts or any Courts of the same or similar jurisdiction in any county having a population of more than one hundred thousand (100,000) inhabitants according to the last or any succeeding Federal Census, under such terms and conditions of such courts as to require the defendant to pay money to the Clerk or Register of such Courts, a writ of garnishment may be issued by the Clerk or Register of such Courts under the rules and regulations prevailing in Circuit Courts in action at law.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B's. 837, 838, 887, 883, 888, 889, 890, 835, 830, 831, 833, 832, 852, and 857. To the Committee on Local Legislation.

The bill, H. B. 887, was read one time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. McIlwain, Inzer and Roberts:

H. 125. To revise Chapter 13 of Title 7 of the 1940 Code, which relates to exemptions from levy and sale under process and from administration and payment of debts, by amending Sections 625, 652, 653, 654, 656, 661, 662, 663, 673, 674, 683, 685, 686, 687, 689, 691, 692, 693 thereof so that the value of the homestead exemption will be increased from two thousand dollars to four thousand dollars.

Also:

By Mr. Pinkston:

H. 824. To amend Section 702 of Title 7 of the Code of Alabama of 1940, which relates to the setting aside of homestead exemptions to the widow and minor children.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B's. 125 and 824. To the Committee on Judiciary.

BILLS ON THIRD READING RESUMED

The Bill:

H. 88. To amend Section 10 of Title 20, Code of Alabama (1940), which relates to the regulation of sales of merchandise in bulk.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the bill, to-wit:

COMMITTEE AMENDMENT TO H. B. 88

Amend H. B. 88 by adding the following after the word seller and before the comma after the word seller in the ninth line of Section 1: "for a period of ninety days from the date of sale."

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cater	Hooton	Owens
Allen	Clayton	Howle	Patterson
Barrett	Glover	Hughes	Patton
Boutwell	Golson	Lamberth	Perry
Bridges	Gulledge	Lowe	Quarles
Burnside	Hardwick	Mize	Wright

—23

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 23; Nay 1.

Yeas:

Messrs.:	Cater	Hughes	Patterson
Allen	Clayton	Kendall	Patton
Barrett	Glover	Lamberth	Perry
Boutwell	Gulledge	Lowe	Quarles
Bridges	Hooton	Mize	Swift
Burnside	Howle	Owens	Wright

—23

Nay: Mr. Coleman

—1

The Bill:

H. 563. To authorize County Boards of Health to solicit, receive, and hold gifts, devices and bequests of money, real estate, and other things of value to be used in the support, development, and carrying on of their work.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Owens
Allen	Fite	Hughes	Patterson
Barrett	Glover	Kendall	Patton
Boutwell	Gulledge	Kimbrell	Perry
Bridges	Hardwick	Lamberth	Quarles
Burnside	Henderson	Lowe	Swift
Cater	Hooton	Mize	Wright
Clayton			

—28

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Boutwell, the bill, S. B. 426, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Dumas:

H. J. R. No. 99. WHEREAS, Dr. Seale Harris of Birmingham, formerly President of the American Medical Association, has brought great distinction upon the State of Alabama by his medical researches and discoveries and his published writings in the fields of medicine and medical history, and

WHEREAS, Dr. Seale Harris has made studies and researches in the history and accomplishments of public health in Alabama, now, therefore.

BE IT RESOLVED by the House of Representatives, the Senate concurring, that Dr. Seale Harris is hereby invited to address a joint session of the House of Representatives and the Senate and that the House of Representatives and the Senate shall convene in joint session in the House of Representatives at 11:45 o'clock A. M. on the 26th day of July, 1949 for the purpose of hearing Dr. Seale Harris on the subject of public health in Alabama.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Rules were suspended, and the Resolution, H. J. R. 99, set out in the foregoing Message from the House was concurred in and adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 264, said Governor's message being in words and figures as follows, to-wit:

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, House Bill No. 264, with a suggested executive amendment.

Amend said bill by striking therefrom Section 3, and substituting therefor Section 3 to read as follows:

"Section 3. The Chief of Division of Service shall have the authority to carry out the provisions of this Act, and shall require that each department, office, bureau, board or agency of the State carry out fully the provisions of this Act applicable to such department, office, bureau, board or agency. In the event the Chief of Division of Service neglects to perform the duties imposed upon him by this Act, the Director of Finance shall report such neglect to the Personnel Board, which board shall administer such disciplinary action against the Chief of the Division of Service, including the right to discharge him, as the board deems proper under the circumstances. In the event the head of any department or officer in charge of any office, bureau, board or agency of the State neglects to perform the duties imposed upon him by this Act, he shall be liable for the sum of Five Dollars (\$5.00) for each day such neglect continues, and for the value of any and all personal property losses to the State as a result of such neglect."

This suggested amendment is made with the full knowledge and approval of the author of the bill, and if adopted will remove my objection to the bill.

Respectfully,

James E. Folsom,
JAMES E. FOLSOM,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 264, by a vote of Yeas 76, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 264. To prescribe a procedure and fix the responsibility for maintaining control of the State's personal property and fixing a penalty for neglect of any duty imposed by this Act.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 77, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

The foregoing Message from the House containing a Message from His Excellency, the Governor, proposing an amendment to

House Bill 264, the title of which and said proposed amendment is set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning Senate Bill No. 136 with a suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 22, 1949

To the Senate of Alabama
Montgomery, Alabama

Gentlemen:

I am returning to you, the body in which this bill originated, Senate Bill No. 136 with a suggested executive amendment.

It is respectfully suggested that Senate Bill No. 136 be amended by adding after the words "various states" the words "or other equivalent experience for at least five years in the ten years next preceding his appointment".

The adoption of this amendment will remove my objections to this bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Hooton, the Senate concurred in and adopted the foregoing amendment proposed by His Excellency, the Governor, to the bill:

S. 136. To amend Section 3 of Title 5 of the Code of Alabama of 1940.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Gulledge	Lamberth	Quarles
Bridges	Harvey	Lowe	Russell
Burnside	Henderson	Mize	Swift
Cater	Hooton	Owens	Wright
Coleman			

—28

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Gaither	Howle	Owens
Allen	Glover	Hughes	Patterson
Barrett	Gulledge	Kendall	Patton
Boutwell	Hardwick	Kimbrell	Perry
Bridges	Harvey	Lamberth	Quarles
Burnside	Henderson	Lowe	Russell
Cater	Hooton	Mize	Wright
Coleman			

—28

Nays:

—0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 56. Relative to naming of Senate Bill No. 510.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 136. To amend Section 3 of Title 5 of the Code of Alabama of 1940. by a vote of a majority of the whole number elected to the House, said vote being: Yeas 69; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 65, Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

By Mr. Boutwell:

S. 174. To provide for the assignment of accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts receivable and of the persons owning the same, and of all persons interested therein, and to provide for the

enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments.

Also:

By Mr. Boutwell:

S. 173. To regulate the use of trust receipts in connection with pledges of personal property unaccompanied by possession in the pledgee.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Gibson:

H. 589. To amend Section 752, Title 51, Article 10, Chapter 20, of the 1940 Code of Alabama.

Also:

By Messrs. Miller and Sellers:

H. 636. To provide that any machine, mechanical device, contrivance, appliance or invention in the State of Alabama that is designed and manufactured for, and is possessed, maintained or operated solely for the purpose of providing amusement or entertainment through its operation, the result of which operation is determined, or partly determined by the skill of the player or operator as distinguished from luck or chance, and which offers no material or tangible reward or inducement to an operator thereof other than amusement or entertainment, shall not be prohibited, and shall not be unlawful in the State of Alabama; to provide for privilege license therefor; to repeal all laws or parts of laws in conflict therewith, and to provide for severability of the sections of this Act.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 589. To the Committee on Judiciary.

H. B. 636. To the Committee on Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the House Amendment to the bill:

S. 303. To amend Section 647 of Title 51 of the 1940 Code, which relates to the excise tax on gasoline.

And said bill, as amended by the report of the Committee of Conference, was again read at length and passed by a vote of: Yeas 68; Nays 0.

And said bill, together with the report of the Committee of Conference, is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 35. To provide for a refund of a portion of the State tax paid on gasoline when the gasoline is used in propelling or operating tractors used exclusively for agricultural purposes; prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefor.

was taken up.

Mr. Coleman offered the following amendment to the bill, to-wit:

AMENDMENT TO H. B. 35

Amend Section 4, 6, and 7 of H. B. 35 to read as follows:

"Section 4. A person who desires to use refund gasoline shall register the tractor with the tax assessor, who shall issue to the owner a serially-numbered certificate upon which shall be written or printed the owner's name and address, a full description of the tractor, including the rated horsepower, make, model, and year of manufacture, and the location and acreage of the farm upon which the tractor is to be used. Each tractor owned or operated shall be separately registered on forms provided by the State Department of Revenue, and each tractor shall be equipped with an hour meter of a make and design approved by the Commissioner of Revenue; provided however, that for tax refund claims totaling seventy-five dollars (\$75.00) or less per year a tractor is not required to be equipped with an hour meter. Registration shall be under oath, No fee for registration shall be charged.

"Section 6. Upon receipt of an application for a user's permit, which shall be accompanied by registration certificate, or certificates, of the applicant, the Commissioner of Revenue shall determine the amount of gasoline that will be needed during the ensuing period. The determination of the Commissioner shall be made on the basis of a table, or tables, which shall be prepared by the Department of Agricultural Engineering of Alabama Polytechnic Institute, based on the 'Nabraska Test', showing the maximum belt and brawbar horsepower, maximum crop acreage, and

average per-hour, per-day, and per-year fuel consumption of each make, model, size and kind of tractor known to be on the market, and in addition, for tractors equipped with hour meters, shall be made on the basis of the estimated number of hours the tractor will be operated multiplied by 90 percent of the per-hour fuel consumption for that make and model tractor as shown by the 'Nebraska Test' for 100 percent maximum load. The Commissioner shall publish semi-annually in a newspaper in each county a list of the names of permit holders within the county and the amount of refund gasoline allotted for each tractor owned or operated by each.

"Section 7. Claims for tax refunds must be filed with the Commissioner of Revenue, on forms to be prescribed by him, within six months from the date of purchase of the gasoline with respect to which the claim is made. For tractors equipped with hour meters the claim shall state the number of hours the tractor was operated during the period for which the claim is made. Every claim shall be verified by the oath of the claimant and be supported by invoices of refund gasoline purchased. No refund shall be made unless the commissioner is satisfied that the gasoline with respect to which the refund is claimed was used in a tractor, or tractors, used exclusively in plowing, planting, harvesting, or processing agricultural products on a farm, or farms, owned, leased, or operated by the person making such claim. The amount of refund for tractors not equipped with hour meters shall be 5 cents for each gallon of refund gasoline purchased and for tractors equipped with hour meters the amount of refund shall not exceed 5 cents for each gallon of gasoline consumed, consumption to be calculated by the commissioner on the basis of the number of hours the tractor was actually operated multiplied by 90 percent of the per-hour fuel consumption for that make and model tractor as shown by the 'Nebraska Test' for 100 percent maximum load. Upon approval of a claim, the State Comptroller is authorized and directed to draw a warrant for payment. There is appropriated of the proceeds of the State tax on gasoline so much thereof as may be necessary to make, from time to time, refunds as provided for in this Act.

On motion of Mr. Hardwick, said amendment was laid on the table.

Yeas 15; Nays 14.

Yeas:

Messrs.:	Clayton	Hardwick	Owens
Bridges	Gaither	Henderson	Patterson
Burnside	Glover	Kendall	Perry
Cater	Golson	Mize	Quarles

Nays:

Messrs.:	Coleman	Howle	Russell
Allen	Fite	Hughes	Swift
Barrett	Harvey	Kimbrell	Wright
Boutwell	Hooton	Lamberth	

—14

PAIR ANNOUNCED

Mr. Lowe announced that he was paired with Mr. Patton on this vote; that Mr. Patton, if present, would vote "no" and he, Mr. Lowe, would vote "aye".

At 12:30 P. M. Mr. Patterson moved that the Senate take a recess until 2:00 P. M. this afternoon, which motion was lost.

Mr. Harvey offered the following amendment to the bill, to-wit:

AMENDMENT TO HOUSE BILL 35

Amend House Bill 35 by adding between Section 6 and Section 7 Section 6-A to read as follows:

No Distributor, Refiner, or Wholesaler, of gasoline, or any other person, shall sell or use any gasoline upon which a refund may be subsequently claimed, without first adding sufficient chemical so as to convert the gasoline to a distinctive color designated by the Commissioner of Revenue.

The Commissioner of Revenue, in person or by any of his designated employees, or any member of the Highway Patrol, is authorized to inspect any vehicle, boat, barge, or tank truck transporting gasoline either over the highways, streets, alleys, or waters of this state, to examine the contents thereof, to take samples of not more than eight ounces of any gasoline contained in said vehicle, boat, barge, or tank truck, and to demand for inspection, invoices, trip tickets, or other records pertaining to the gasoline being transported by, or used in, such vehicles, boats, barges, or tank trucks.

On motion of Mr. Henderson, said amendment was laid on the table.

Yeas 17; Nays 9.

Yeas:

Messrs.:	Glover	Hughes	Mize
Bridges	Golson	Kendall	Patton
Burnside	Gulledge	Kimbrell	Perry
Cater	Hardwick	Lowe	Quarles
Clayton	Henderson		

—17

Nays:

Messrs.:	Coleman	Howle	Swift
Allen	Fite	Lamberth	Wright
Boutwell	Harvey		

—9

PAIR ANNOUNCED

Mr. Barrett announced that he was paired with Mr. Owens on this vote; that Mr. Owens, if present, would vote "aye" and he, Mr. Barrett, would vote "no".

Mr. Swift offered the following amendment to the bill, to-wit:

AMENDMENT NO.

Amend House Bill 35 by inserting in the Title thereof, immediately following the word "tractors" the words "boats" or "vessels," and immediately following the words "for agricultural purposes" the words "or in the commercial taking or transportation of fish, shrimp, oysters or other seafoods."

On motion of Mr. Clayton, said amendment was laid on the table.

Yeas 18; Nays 9.

Yeas:

Messrs.:	Fite	Henderson	Patton	
Bridges	Gaither	Hughes	Perry	
Burnside	Glover	Kendall	Quarles	
Cater	Golson	Lowe	Russell	
Clayton	Hardwick	Patterson		—18

Nays:

Messrs.:	Coleman	Hooton	Mize	
Allen	Gulledge	Lamberth	Swift	
Boutwell	Harvey			—9

PAIRS ANNOUNCED

Mr. Kimbrell announced that he was paired with Mr. Howle on this vote; that Mr. Howle, if present, would vote "no" and he, Mr. Kimbrell, would vote "aye".

Mr. Barrett announced that he was paired with Mr. Owens on this vote; that Mr. Owens, if present, would vote "aye" and he, Mr. Barrett, would vote "no".

And said bill was then read a third time at length and passed.

Yeas 23; Nays 3.

Yeas:

Messrs.:	Fite	Henderson	Patterson	
Allen	Gaither	Hughes	Patton	
Bridges	Glover	Kendall	Perry	
Burnside	Golson	Lamberth	Quarles	
Cater	Gulledge	Lowe	Russell	
Clayton	Hardwick	Mize	Wright	—23

Nays: Messrs. Coleman, Harvey, and Swift

—3

PAIRS ANNOUNCED

Mr. Barrett announced that he was paired with Mr. Owens on this vote; that Mr. Owens, if present, would vote "aye" and he, Mr. Barrett, would vote "no".

Mr. Kimbrell announced that he was paired with Mr. Howle on this vote; that Mr. Howle, if present, would vote "no" and he, Mr. Kimbrell, would vote "aye".

Mr. Clayton moved that the Senate reconsider the vote by which it just passed the bill, H. B. 35, and then moved to lay on the table the motion to reconsider; the motion to table prevailed.

At 1:15 P. M. Mr. Harvey moved that the Senate do now adjourn until Tuesday, July 26, 1949, at 10:00 A. M., which motion was lost.

Yeas 13; Nays 14.

Yeas:

Messrs.:	Fite	Harvey	Lamberth	
Barrett	Gaither	Hooton	Perry	
Bridges	Golson	Howle	Russell	
Coleman	Hardwick			—13

Nays:

Messrs.:	Clayton	Lowe	Quarles	
Allen	Gulledge	Mize	Swift	
Boutwell	Henderson	Patterson	Wright	
Cater	Hughes	Patton		—14

At 1:20 P. M. Mr. Hardwick moved that the Senate take a recess until 2:30 P. M. this afternoon, which motion was lost.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Wallace:

H. 290. To provide for educational benefits to children and widows of deceased veterans of World War II; to provide for educational benefits for the children, wives and veterans of World War II who are suffering from a 40% or more service-connected disability; and to provide for correspondence and extension courses for veterans of World War II.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 290. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. McIlwain and Taylor (Autauga):

H. 635. Relating to public health; to regulate, through licensure, hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act.

Also:

By Mr. Dumas:

H. 165. To prescribe the exclusive procedures for State of Alabama administrative agencies to following in the exercise of rule-, order-, and decision-making authority, to provide for judicial review of their actions, and to repeal all laws and parts of laws in conflict.

Also:

By Mr. Barnett:

H. 82. To supplement, expand, and amend the Workmen's Compensation Act of Alabama; to provide compensation for injured and diseased workmen; and without limiting the comprehensiveness and generality of the foregoing, to supplement Chapter 5, Title 26, Code of Alabama 1940, as amended, known as the Workmen's Compensation Act of Alabama, by adding thereto the following to be designated as Article 2A of said chapter and prescribing the liability of an employer to make compensation by way of damages for the disease of occupational pneumoconiosis contracted by an employee and which is peculiar to and arises out of and in the course of his employment; declaring said disease of pneumoconiosis so contracted as an occupational disease which is to be regarded as an accident without regard to negligence of the employer and providing for the enforcement of such liability, modifying common law and statutory remedies in such cases, regulating procedure for determination of such liability and the compensation payable, prescribing penalties for violation thereof, providing for attorneys fees and for medical and surgical services, and providing a period of limitation for filing suits on claims for disability or death from pneumoconiosis.

And ordered same sent forthwith to the Senate without engrossment

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 635. To the Committee on Public Health.

H. B's. 165 and 82. To the Committee on Judiciary.

BILLS ON THIRD READING RESUMED

The Bill:

S. 478. To revise Act No. 183, H. B. 62, approved June 18, 1943, entitled "An Act To create a State Planning Board and to provide for the appointment, removal, term, and compensation of the members thereof; to fix the powers, authority, and duties of the

board; to provide for the appointment of a director of the board and for the selection of employees; and to make an appropriation for the maintenance and operation of the board," by amending Sections 2 and 5 and repealing Section 6 thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patton
Allen	Fite	Hughes	Perry
Boutwell	Gaither	Kendall	Quarles
Bridges	Golson	Lamberth	Russell
Burnside	Gulledge	Lowe	Swift
Cater	Hardwick	Mize	Wright
Clayton	Hooton	Patterson	

—26

Nays:

—0

The Bill:

S. 206. To amend Act. No. 128, H. B. 129, approved June 16, 1945, entitled, "An Act To create a Building Commission and establish a fund therefor; to provide for its organization and to define its powers and duties; and to appropriate funds for the use of the Commission so created and provide how they may be allocated," (General Acts of 1945, pp. 116-125).

was taken up.

The Standing Committee on Judiciary reported the following amendment to the bill, to-wit:

Amend S. B. 206 by adding the following as Section 2 thereof:

"Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, but the passage of this Act shall not affect the tenure of the members of the commission heretofore elected at the 1949 regular session of the legislature."

Which was adopted.

Yeas 21; Nays 3.

Yeas:

Messrs.:	Coleman	Howle	Perry
Allen	Gaither	Hughes	Quarles
Boutwell	Gulledge	Lowe	Russell
Bridges	Hardwick	Patterson	Swift
Cater	Henderson	Patton	Wright
Clayton	Hooton		

—21

Nays: Messrs. Fite, Harvey and Lamberth

—3

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 4.

Yeas:

Messrs.:	Coleman	Hughes	Perry	
Allen	Golson	Kendall	Quarles	
Boutwell	Gulledge	Lowe	Russell	
Bridges	Hardwick	Mize	Swift	
Cater	Henderson	Patterson	Wright	
Clayton	Hooton	Patton		—22

Nays:

Messrs.:	Harvey	Howle	Lamberth	
Fite				—4

ADJOURNMENT

At 1:45 P. M. on motion of Mr. Kendall and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, July 26, 1949, at 10 o'clock A. M.

Yeas 15; Nays 13.

Yeas:

Messrs.:	Fite	Harvey	Lamberth	
Bridges	Gaither	Howle	Patton	
Burnside	Golson	Hughes	Perry	
Coleman	Hardwick	Kendall	Wright	
				—15

Nays:

Messrs.:	Clayton	Lowe	Quarles	
Allen	Gulledge	Mize	Russell	
Boutwell	Henderson	Patterson	Swift	
Cater	Hooton			—13

TWENTY-FIFTH LEGISLATIVE DAY

TUESDAY, JULY 26, 1949

The Senate met pursuant to adjournment, Lieutenant Governor Inzer presiding.

PRAYER

The session was opened with prayer by Rev. Hoyt A. Ayers, Pastor, Clayton Street Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Yeas:

Messrs.:	Coleman	Hooton	Owens
Allen	Cooper	Howle	Patterson
Barrett	Fite	Hughes	Patton
Boutwell	Golson	Kendall	Perry
Bridges	Gulledge	Lamberth	Quarles
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright

—31

JOURNAL

On motion of Mr. Allen, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Patton, leave of absence was granted Mr. Russell for today.

On motion of Mr. Fite, leave of absence was granted Mr. Kimbrell for today.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolution with the original Senate Joint Resolution and finds same correctly enrolled, to-wit:

S. J. R. 56. Relative to the naming of Senate Bill No. 510.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 136. To amend Section 3 of Title 5 of the Code of Alabama of 1940.

Also:

S. 173. To regulate the use of trust receipts in connection with pledges of personal property unaccompanied by possession in the pledgee.

Also:

S. 174. To provide for the assignment of accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts receivable and of the persons owing the same, and of all persons interested therein, and to provide for the enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments.

Also:

S. 303. To amend Section 647 of Title 51 of the 1940 Code, which relates to the excise tax on gasoline.

Also:

S. 474. Relating to the times for holding court in the Twenty-sixth Judicial Circuit: fixing the times, dates, sessions, and terms of said court.

Also:

S. 510. To authorize the President of Alabama Polytechnic Institute with the approval of the Board of Trustees to appoint and employ persons to act as police officers to protect the prop-

erty of Alabama Polytechnic Institute from trespass and damage, and to define their jurisdiction, duties, and authority.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 35. To provide for a refund of a portion of the State tax paid on gasoline when the gasoline is used in propelling or operating tractors used exclusively for agricultural purposes; prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefor.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 563. To authorize County Boards of Health to solicit, receive, and hold gifts, devices and bequests of money, real estate, and other things of value to be used in the support, development, and carrying on of their work.

Also:

H. 734. Relating to Choctaw County: To divide the County into four forest-protection districts, creating the offices of Chief Forest Warden for the county and District Forest Warden for each district, prescribing the duties of such officers, fixing their compensation, and imposing such duties upon the probate judge and county commissioners ex officio.

Also:

H. 787. To repeal a local law of the Legislature of Alabama of 1915 entitled "An Act to require the Court of County Commissioners of Butler County to publish monthly in a newspaper published in said county a statement showing the receipts and expenditures of money for said county."

Also:

H. 788. To repeal an act of the Legislature of 1901, approved March 4, 1901, (Local Acts of 1901, page 2239) entitled "An Act to provide for the payment of state witnesses in criminal cases in Butler County, Alabama," as said Act was amended by a local act of the Legislature of 1931, approved June 30, 1931 (Local Acts of 1931, page 157).

Also:

H. 791. To provide for the establishment and administration of a supplementary retirement fund for deputies sheriff, wardens, assistant wardens, transfer agents, prison clerks, or identification clerks, employed by the Sheriff in counties having a population of 400,000 or more according to the last or any future federal census and for the payment of benefits to the deputies sheriff, wardens, assistant wardens, transfer agents, prison clerks, or identification clerks, of the Sheriff's Office in such counties; to provide for the apportionment of pistol permit fees issued by the Sheriff, to provide for the collection of witness fees in certain cases and the distribution and use thereof.

Also:

H. 818. To amend Section 1 of an act entitled "To provide for the fees and mileage to be paid to the sheriffs of the several counties of Alabama for taking into custody persons charged with being of unsound mind, and fixing the same fees for feeding insane prisoners as are allowed by the State for the feeding of other State prisoners". Approved July 7, 1943, General Acts of the Legislature of Alabama, 1943, page 578.

Also:

H. 819. For the relief of James A. Head, in the sum of One Hundred Eighty-seven Dollars and Eighty-four Cents (\$187.84), in that, on, to-wit: July 30, 1947, a duly authorized agent, servant or employee of Jefferson County, Alabama, negligently drove a Jefferson County truck into the automobile of the said James A. Head, and damaged said automobile of James A. Head in the amount of One Hundred Eighty-seven Dollars and Eighty-four Cents (\$187.84), at or near Fairway Drive in Jefferson County, Alabama.

Also:

H. 820. To provide for a clerk or clerks in the office of the tax collector of Washington County, Alabama, and to fix the method and basis of employment and compensation for such clerk or clerks and to make such compensation payable out of the general fund of said County.

Also:

H. 821. Relating to Washington County: To create the office of Treasurer of Washington County; providing for the appointment, term of office, duties, authority and compensation of such county official; and providing for filling vacancies in such office.

Also:

H. 822. To provide for a clerk or clerks in the office of the tax assessor of Washington County, Alabama, and to fix the method and basis of employment and compensation for such clerk or clerks and to make such compensation payable out of the general fund of said County.

Also:

H. J. R. 100. Relative to House Bill 414 being known as the Lovelace, Martin (Greene), McGowin, Merrill, Ramey, Adams (Jefferson), Adams (Dale), Owens, Hardwick and Cater bill.

Also:

H. J. R. 101. Relative to House Bill 231 being known as the Lovelace, White (Perry), Hardwick and Cater bill.

Also:

H. J. R. 102. Relative to House Bills 381, 382, and 383 being designated and known as the Ingalls-Mize Bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions, the titles of which are set out in the foregoing message from the House.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Wright and Boutwell:

S. B. 578. To create and establish a collegiate School of Nursing at the University of Alabama to be known as "University of Alabama School of Nursing" and to provide for its organization, housing and equipment, operation, maintenance, ownership, management, and control and to make appropriations therefor from the General Fund or from any surplus fund created from the General Fund by the Legislature by whatever name called, or from funds not otherwise appropriated.

Committee on Finance and Taxation.

By Mr. Kendall:

S. B. 579. Relating to Conecuh County: To fix the compensation of members of the County Board of Education.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
CONECUH COUNTY

Notice is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Conecuh County: To fix the compensation of members of the County Board of Education.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the County Board of Education of Conecuh County shall receive from the public school funds of the County a sum not to exceed ten dollars a day, to be fixed by resolution of the board, and their actual traveling and hotel expenses incurred in attending meetings of the board and transacting the board's business. The members shall not be allowed pay for more than twelve days in any one year.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

(June 30—July 7-14-21—C)

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1949.

R. G. BOZEMAN.

Sworn to and subscribed before me July 22, 1949.

EDWIN B. JAMES,
Title Notary Public.

My commission expires June 18, 1950

By Mr. Hughes:

S. B. 580. To amend Section 238, Title 12, of the 1940 Code of Alabama.

Committee on Public Health.

By Mr. Clayton:

S. B. 581. To amend Section 9 of an act entitled "An Act To provide for the Office of Land Agent within the Department of Conservation and to define the Departments powers and duties with respect to lands owned by the State of Alabama or any de-

partment or institution thereof; to provide that each State department or institution of the State of Alabama owning, controlling or managing any State or departmental lands shall file with the Department of Conservation a list of lands which it owns or in which any interest is claimed, to define the meaning of the terms 'used Lands' and 'unused land'; to provide that such list shall describe such lands by numbering or other adequate description and classify the same as 'used land' or 'unused land', the manner in which title to the lands was acquired, the character of title and the use for which such lands are chiefly valuable, and the use to which said lands is being put; to provide for the preservation of such list; to provide for the compilation of a record of the ownership of all lands held in trust by any institution or department of the State of Alabama; to provide for the mapping, surveying, cruising, developing, and disposal of lands; to provide for the filing of a copy of all instruments by which the State or any institution disposes of or acquires lands; to provide for the recordation on county records of the State's ownership of lands; to provide for the disposition of any revenue from unused lands; to provide funds for administering this act.", approved July 9, 1945.

Committee on Forestry and Conservation.

By Mr. Cater:

S. B. 582. To fix the compensation of the Judge of Probate of Montgomery County, Alabama, and to regulate the payment of same, and to provide for clerical help and other assistance to said Judge of Probate, and the fixing of their compensation and paying the same, and to provide for ex-officio services and for other contingencies of said Judge of Probate, and to provide for an ex-officio clerk of the Board of Registrars, and to require the Judge of Probate to pay into the County Treasury of said County all costs and charges of Courts, fees and commissions authorized by law to be collected by said Judge of Probate as other moneys belonging to said county are paid.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

TO WHOM IT MAY CONCERN:

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, in the 1949 Session thereof, which bill is in substance as follows:

A BILL TO BE ENTITLED AN ACT

To fix the compensation of the Judge of Probate of Montgomery County, Alabama, and to regulate the payment of same, and to provide

for clerical help and other assistance to said Judge of Probate, and the fixing of their compensation and paying the same, and to provide for ex-officio services and for other contingencies of said Judge of Probate, and to provide for an ex-officio clerk of the Board of Registrars, and to require said Judge of Probate to pay into the County Treasury of said County all costs and charges of Courts, fees and commissions authorized by laws to be collected by said Judge of Probate as other moneys belonging to said county are paid.

Be It Enacted by the Legislature of Alabama:

Section 1. That the salary of the Judge of Probate of Montgomery County, Alabama, shall be Seventy-eight Hundred Dollars, per annum, and an allowance for office help as follows: One chief clerk at forty-two hundred dollars per annum, three clerks at twenty-seven hundred dollars per annum each, seven clerks at twenty-two hundred and twenty dollars per annum each, and one of said clerks, in addition to the other duties, shall be ex-officio clerk of the Board of Registrars, and fifteen hundred dollars per annum for other expenses and clerk hire to be paid out on warrant by the Board of Revenue on proper certificates of said Judge of Probate, and the further sum of Twelve Hundred Dollars, as ex-officio services and for other contingencies to be paid to said Judge of Probate in equal monthly installments out of the general funds of said County. Each of said clerks will be designated by the Judge of Probate and shall be paid a salary in any amount up to the maximum figure provided for each clerk in this Act at the discretion of the Judge of Probate.

Section 2. That said Judge of Probate shall pay into the County Treasury of said County, all costs, charges of courts, fees and commissions authorized by law, or which may hereafter be authorized by law to be collected by said Judge of Probate as other moneys belonging to said County are paid. The Board of Revenue shall have the power and authority to audit the account of said Judge of Probate.

Section 3. That all compensation of the Judge of Probate mentioned in this Act, and all allowances provided for expenses, and other assistance shall be paid out of the general fund of the County in monthly installments.

Section 4. That the premiums on said Judge of Probate's bond and the bonds of his clerks shall be paid out of the general funds of said county.

Section 5. That all laws and parts of laws, general, local or special in conflict with the provisions of this Act, be and the same are hereby repealed.

Section 6. That this Act shall be effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

June 30, July 7, 14, 21, 1949.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lucille Raffels, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Sec-Treas. of the Montgomery Examiner, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30; July 7, 14, and 21, all in the year 1949.

LUCILLE RAFFELS,

Sworn to and subscribed before me July 22, 1949.

JESSIE D. RIVES,
Title Notary Public.

By Mr. Gulledge:

S. B. 583. To provide that all circuit court clerks who are ex officio clerks of certain inferior courts shall receive circuit court fees in preliminary hearings in felony cases, cases involving domestic relations, and other cases; to provide that said costs or fees shall be paid from the fine and forfeiture fund of the county or its equivalent; to require said clerks to perform certain duties at preliminary hearings and in certain other cases; and to repeal laws in conflict with this Act.

Committee on Judiciary.

By Mr. Mize:

S. B. 584. To amend Section 612 of Title 62 of the Code of Alabama (1940), which relates to the salaries of members of the Commission Board of the City of Tuscaloosa, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 612 of Title 62 of the Code of Alabama (1940), which relates to the salaries of members of the Commission Board of the City of Tuscaloosa, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 612 of Title 62 of the Code of Alabama (1940) is amended to read as follows:

"Section 612. The salary of the chairman of said commission board shall be not more than two hundred fifty dollars (\$250) per month, and the salary for associate commissioner No. 1 and associate commissioner No. 2 shall be not more than two hundred twenty-five (\$225) per month, each, all of said salaries being payable at the end of each month during their respective terms of office, and shall be paid out of the general fund of said city. The payment of all funds out of the treasury shall be by warrants signed by the city clerk and countersigned by the chairman of such commission board, but no funds may be paid out of any purpose except by resolution or ordinance duly passed making such appropriation."

Section 2.. This Act shall become effective upon the expiration of the terms of the incumbent members of the Commission Board of the City of Tuscaloosa, Alabama.

June 27, July 4, 11, 18,—4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1949.

BUFORD BOONE.

Sworn to and subscribed before me 21st. July, 1949.

LILLA COLLINS,

Notary Public in and for Tuscaloosa County, Alabama.

(SEAL)

By Mr. Mize:

S. B. 585. To amend Sections 2 and 9 of Act No. 228, H. 707, approved August 3, 1927 (Local Acts of Alabama, 1927, page 130) entitled "An Act To establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix, and define his duties and compensation; to establish methods of procedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualification and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 and 9 of Act No. 228, H. 707, approved August 3, 1927 (Local Acts of Alabama, 1927, page 130) entitled "An Act To establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix, and define his duties and compensation; to establish methods of procedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualification and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 228, H. 707, approved August 3, 1927 (Local Acts of Alabama, 1927, page 130) is amended to read as follows:

"Section 2. There is hereby conferred on the Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction as is now exercised by the Justices of the Peace throughout the County of Tuscaloosa, Alabama, all the jurisdiction of the County Court of Tuscaloosa, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, the Probate Court of said County as regards domestic relations, and in addition thereto, such court shall have jurisdiction concurrently with the Circuit Court in all cases where the amount in controversy exceeds the jurisdictions of justices of the peace but does not exceed the sum of two hundred fifty dollars (\$250), provided that the court shall not have jurisdiction of workmen's compensation cases, libel, slander, assault and battery, ejectment, or actions in the nature of ejectment. Where the action is in detinue in which the plaintiff seeks to recover on a chattel mortgage or a conditional sale contract, the amount in controversy shall for the purpose of determining jurisdiction be the balance of the mortgage debt or purchase price as the case may be or the value of the property in suit whichever may be less, and where the action is for forcible entry or unlawful detainer the amount in controversy shall for the purpose of determining jurisdiction be the amount of damages claimed. The court shall have jurisdiction of proceedings for discovery of assets of judgment debtors and shall exercise such jurisdiction in the same manner as is provided by law with respect to civil judgments in circuit courts."

Section 2. Section 9 of Act No. 228, H. 707, approved August 3, 1927 (Local Acts of Alabama, 1927, page 130) it amended to read as follows:

"Section 9. The judge of the Inferior Court of Tuscaloosa County shall receive a salary of four thousand eight hundred dollars (\$4,800) per annum, to be in lieu of all compensations heretofore provided, payable monthly out of the County Treasury upon his warrant drawn upon the County Treasurer, or County Depository. The said judge shall not be permitted to practice law in any court, or otherwise engage in the practice of law."

Section 3. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 4. This Act shall become effective October 1, 1949.

June 29—July 6-13-20-4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on June 29, July 6, July 13; and July 20, all in the year 1949.

BUFORD BOONE.

Sworn to and subscribed before me 21st July, 1949.

LILLA COLLINS,
Notary Public in and for
Tuscaloosa County, Alabama.

(SEAL)

By Mr. Mize:

S. B. 586. To amend Section 1 of Act No. 73, H. 190, approved March 31, 1936 (Local Acts of Alabama, 1936 Extra Session, page 41) entitled "An Act To fix the compensation or salary to be paid the Clerk of the Circuit Court of Tuscaloosa County, Alabama, and to regulate the payment of the same: To provide for compensation of Clerks, Deputies, Clerical Assistants and other expenses in said office of the Clerk of the Circuit Court of Tuscaloosa County, Alabama, and to require said Clerk of the Circuit Court to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay same into the County Treasury of Tuscaloosa County, provided, however, that all witness fees, judgments and amounts collected by him, in civil and criminal cases, from whatsoever source, except fees, allowances, legal charges, costs and compensation payable to him as such clerk, shall be retained in the hands of said Clerk to be paid out and disbursed by him to proper persons or parties in the manner now or hereafter required by law; To provide for the payment of the salary or compensation of said Clerk of the Circuit Court of Tuscaloosa County, and the Clerks, Deputies and other Clerical Assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the conducting and operation of such office made necessary by changing the method and basis of compensation of such Clerk of the Circuit Court of Tuscaloosa County, and to prescribe when this act shall go into effect."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

NOTICE is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 73, H. 190, approved March 31, 1936 (LOCAL ACTS OF ALABAMA, 1936 Extra Session, page 41) entitled "An Act To Fix The Compensation Or Salary To Be Paid The Clerk Of The Circuit Court Of Tuscaloosa County, Alabama, And To Regulate The Payment Of the Same To Provide For Compensation Of Clerks, Deputies, Clerical Assistants And Other Expenses In Said Office Of The Clerk Of The Circuit Court Of Tuscaloosa County, Alabama, And To Require Said Clerk Of The Circuit Court To Collect All The Fees, Compensation And Allowances Heretofore Or Hereafter Authorized To Be Collected By Him, And To Pay Same Into The County Treasury Of Tuscaloosa County, Provided, However, That All Witness Fees, Judgments And Amounts Collected By Him, In Civil And Criminal Cases, From Whatsoever Source, Except Fees, Allowances, Legal Charges, Costs And Compensation Payable To Him As Such Clerk, Shall Be Retained In The Hands Of Said Clerk To Be Paid Out And Disbursed By Him To Proper Persons Or Parties In The Manner Now Or Hereafter Required By Law; To Provide For The Payment Of The Salary Or Compensation Of Said Clerk Of The Circuit Court Of Tuscaloosa County, And The Clerks, Deputies And Other Clerical Assistants And Other Office Expenses Out Of The Funds Of Tuscaloosa County, And To Provide Rules and Regulations For the Conducting And Operation Of Such Office Made Necessary By Changing The Method And Basis Of Compensation Of Such Clerk Of The Circuit Court Of Tuscaloosa County, And To Prescribe When This Act Shall Go Into Effect."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 73, H. 190, approved March 31, 1936 (LOCAL ACTS OF ALABAMA, 1936 Extra Session, page 41) is amended to read as follows:

"Section 1. The salary or compensation of the Clerk of The Circuit Court of Tuscaloosa County, Alabama, shall be four thousand five hundred dollars (\$4,500) per year, which annual salary or compensation shall be paid out of the County Treasury of Tuscaloosa County, in equal monthly installments, at the end of each month, upon warrants drawn in the same manner as warrants by which employees of Tuscaloosa County are paid."

Section 2. This Act shall become effective October 1, 1949.

June 27—July 4, 11, 18—4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1949.

BUFORD BOONE.

Sworn to and subscribed before me 21st July, 1949.

LILLA COLLINS,
Notary Public in and for
Tuscaloosa County, Alabama.

(SEAL)

REPORTS OF COMMITTEES

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hooton:

S. 572. To impose extra, new, and additional duties upon the Attorney General of Alabama; to provide additional compensation for the performance of the extra, new, and additional duties hereby imposed upon him; and to provide for the payment of such additional compensation out of the general fund of the State of Alabama.

By Mr. Russell:

S. 574. To amend Act No. 569, General Acts of 1947, Page 402, approved October 2, 1947, "To fix and prescribe the salaries to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of said salaries by the counties of certain judicial circuits," and to provide for the repeal of all acts, all laws and parts of laws in conflict herewith.

Mr. Mize, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mize (with substitute) (without recommendation):

S. 156. To amend Section 204 of Title 26, 1940 Code, as amended by Act Number 310 of the 1943 Legislature and as further amended by Act Number 283 of the 1945 Legislature, relating to unemployment compensation.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris:

H. 596. To amend Section 312 of Title 55 of the Code of Alabama of 1940 and to provide for the transfer and assignment of employees and to define and provide for the station of duty and employment base of employees.

By Messrs. Roberts and Merrill:

H. 801. To provide for the creation of the office of Assistant Commissioner of Revenue of the Department of Revenue; to define the qualifications, duties, and authority of such office; to provide that the Assistant Commissioner of Revenue shall be appointed and hold office under the provisions of the State Merit System as provided by law; to provide for the severability of the provisions of this Act; to provide for the repeal of laws in conflict herewith; to provide for the effective date of this Act.

MOTION TO AMEND SENATE RULE 1 POSTPONED

On motion of Mr. Allen, further consideration of the motion of Messrs. Allen and Kendall to amend Senate Rule 1 was postponed until the next Legislative Day.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Perry, further consideration of S. B. 497 was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

By Mr. Johnston:

H. 88. To amend Section 10 of Title 20, Code of Alabama (1940), which relates to the regulation of sales of merchandise in bulk.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING

The Bill:

S. 571. To amend Section 283 of Title 26 of the Code of Alabama (1940), as amended by Act No. 36, approved June 2, 1949, relating to Workmen's Compensation.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 28; Nays 0.

Yeas:

Messrs.:	Cooper	Hooton	Owens
Allen	Fite	Howle	Patterson
Barrett	Golson	Hughes	Patton
Bridges	Gulledge	Kendall	Perry
Burnside	Hardwick	Lamberth	Quarles
Cater	Harvey	Lowe	Summerlin
Clayton	Henderson	Mize	Wright
Coleman			

—28

Nays:

—0

The Bill:

S. 558. Relating to Tuscaloosa County: To provide further for the salaries and compensation of clerks, deputies and assistants to the Judge of Probate of Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize	
Allen	Cooper	Howle	Owens	
Barrett	Fite	Lamberth	Patton	
Boutwell	Golson	Langan	Quarles	
Bridges	Harvey	Lowe	Summerlin	
Clayton	Henderson			—21

Nays:

—0

The Bill:

S. 559. To amend Section 2 of Act No. 93, S. 127, approved April 7, 1936 (Local Acts of Alabama, Extra Session 1936, page 53) entitled "An Act To regulate the office of the sheriff of Tuscaloosa County, Alabama; to exempt the sheriff of said county from court costs; to fix the compensation or salary to be paid the sheriff of Tuscaloosa County, Alabama, and to regulate the payment of the same; to fix the number and compensation of the sheriff's deputies, guards, jailers, and other employees of the sheriff; to require the deputy sheriffs and special deputy sheriffs of said sheriff to execute official bonds conditioned, payable and approved as the bond of the sheriff; to exempt the sheriff of said County from liability for the acts of the deputies, except in certain cases; to provide for the appointment and compensation of special deputies; to provide for the payment of the premium on the sheriff's and all deputies' bonds out of the County Treasury; to provide that all fees, charges and commissions taxable and collected as sheriff's fees, charges or commissions be paid into the County Treasury, including fees for feeding prisoners, to be paid into the general fund of said County; to provide for the payment of the expenses of the office of said sheriff, including the costs of supplying and maintaining automobiles used by said sheriff in his official business, and authorizing the Board of Revenue to appropriate the necessary money for such expenses, and to regulate the expenditure of same; authorizing the sheriff of said County to employ an attorney to advise and represent him, whose compensation is to be fixed by the Board of Revenue and paid out of the County Treasury; abolishing in so far as it relates to Tuscaloosa County, Alabama, sheriff's fees provided for in Section 6717 of the Code of Alabama, 1923, and providing that the sheriff of said county shall furnish bailiffs required in Section 6716 of the Code

of Alabama, 1923; to provide that said County shall not be liable for the acts or omissions of said sheriff or any of his deputies, guards, jailers or other employees; to repeal all laws and parts of laws, which, as applied to Tuscaloosa County, Alabama, are in conflict with the provisions of said Act; and providing when and how said Act shall become effective."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hooton	Mize	
Allen	Cooper	Kendall	Owens	
Barrett	Fite	Lamberth	Perry	
Boutwell	Golson	Langan	Quarles	
Bridges	Gulledge	Lowe	Summerlin	
Burnside	Henderson			—21

Nays:

—0

The Bill:

S. 565. To amend Section 1 of Act No. 130, H. 526, approved June 12, 1935 (Local Acts of Alabama, 1935, page 64) entitled "An Act To Fix the Compensation or Salary to be paid the Tax Collector of Tuscaloosa County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Collector of Tuscaloosa County, Alabama, and to require said Tax Collector to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay same into the County Treasury of Tuscaloosa County; to provide for the payment of the salary or compensation of said Tax Collector of Tuscaloosa County, and the clerks, deputies and other clerical assistants, and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Tax Collector, and to prescribe when this Act shall go into effect."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patterson	
Allen	Fite	Kendall	Patton	
Barrett	Golson	Langan	Perry	
Boutwell	Hardwick	Mize	Quarles	
Bridges	Hooton	Owens	Summerlin	
Cater	Howle			—21

Nays:

—0

The Bill:

S. 566. Relating to Tuscaloosa County: To provide further for the salaries and compensation of the clerks, deputies and assistants to the Tax Collector of Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Kendall	Owens
Allen	Fite	Lamberth	Quarles
Barrett	Golson	Langan	Summerlin
Boutwell	Hardwick	Lowe	Swift
Bridges	Hooton	Mize	Wright
Burnside	Hughes		

—21

Nays:

—0

The Bill:

S. 560. To amend Section 1 of Act No. 129, H. 525, approved June 12, 1935 (Local Acts of Alabama, 1935, page 62) entitled "An Act to fix the compensation or salary to be paid the Judge of Probate of Tuscaloosa County, Alabama, and to regulate the payment of the same; to provide for the compensation of clerks, deputies, clerical assistants and other expenses in the Probate Office of Tuscaloosa County, Alabama, and to require said Judge of Probate to collect all the fees, compensation and allowances heretofore or hereafter collected by said Judge of Probate, and to pay same into the County Treasury of Tuscaloosa County; to provide for the payment of the salary or compensation of said Judge of Probate and the clerks, deputies and other clerical assistants, and other office expenses, out of the funds of Tuscaloosa County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Judge of Probate, and to prescribe when this Act shall go into effect."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Mize
Allen	Cooper	Hughes	Owens
Barrett	Fite	Kendall	Perry
Boutwell	Golson	Lamberth	Quarles
Bridges	Gulledge	Lowe	Swift
Burnside	Hooton		

—21

Nays:

—0

The Bill:

S. 564. Relating to Tuscaloosa County: To provide further for the salaries and compensation of clerks, deputies and assistants to the Tax Assessor of Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Kendall	Owens	
Allen	Fite	Lamberth	Quarles	
Barrett	Golson	Langan	Summerlin	
Boutwell	Gulledge	Lowe	Swift	
Burnside	Henderson	Mize	Wright	
Coleman	Hooton			—21

Nays:

—0

The Bill:

S. 562. Relating to Tuscaloosa County: To authorize the employment of a stenographic secretary by the Circuit Solicitor of Tuscaloosa County, and authorizing the payment of the salary of such stenographic secretary out of the treasury of Tuscaloosa County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Lamberth	Perry	
Allen	Golson	Mize	Quarles	
Barrett	Gulledge	Owens	Summerlin	
Cater	Howle	Patterson	Swift	
Coleman	Hughes	Patton	Wright	
Cooper	Kendall			—21

Nays:

—0

The Bill:

S. 561. Relating to Tuscaloosa County: To provide further for the salaries or compensation of the clerks, deputies and assistants to the Circuit Clerk of Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hooton	Mize
Allen	Cooper	Kendall	Owens
Barrett	Fite	Lamberth	Patton
Boutwell	Golson	Langan	Quarles
Bridges	Harvey	Lowe	Swift
Burnside	Henderson		

—21

Nays:

—0

The Bill:

S. 563. To amend Section 1 of Act No. 128, H. 524, approved June 12, 1935 (Local Acts of Alabama, 1935, page 61) entitled "An Act to fix the compensation or salary to be paid the Tax Assessor of Tuscaloosa County, Alabama, and to regulate the payment of the same; To provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Assessor of Tuscaloosa County, Alabama, and to require said Tax Assessor to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay same into the County Treasury of Tuscaloosa County; to provide for the payment of the salary or compensation of said Tax Assessor of Tuscaloosa County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of said Tax Assessor, and to prescribe when this Act shall go into effect."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Mize
Allen	Cooper	Kendall	Owens
Barrett	Fite	Lamberth	Perry
Boutwell	Golson	Langan	Quarles
Bridges	Gulledge	Lowe	Summerlin
Burnside	Hooton		

—21

Nays:

—0

The Bill:

S. 543. Relating to Crenshaw County: To amend Act 83, H. B. 68, approved March 4, 1931 (Local Acts of 1931 p. 21), entitled "An Act To Provide for the election of a County Superintendent of Education for Crenshaw County, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term, and compensation of such officer."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Cooper	Hughes	Patton	
Barrett	Fite	Kendall	Perry	
Boutwell	Golson	Lamberth	Quarles	
Bridges	Gulledge	Langan	Summerlin	
Burnside	Hooton			—21

Nays:

—0

The Bill:

S. 542. Authorizing the board of education of any county having a population of not less than 23,000 nor more than 25,000 inhabitants, to impose additional duties on the county superintendent of education and to increase his salary to compensate him for the additional duties imposed upon him.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Owens	
Allen	Cooper	Howle	Quarles	
Barrett	Fite	Hughes	Summerlin	
Boutwell	Golson	Kendall	Swift	
Cater	Gulledge	Lamberth	Wright	
Clayton	Hardwick			—21

Nays:

—0

The Bill:

S. 541. To amend Section 380 of Title 13 of the Code of Alabama (1940), which relates to the appointment of clerks in juvenile courts.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Cooper	Hughes	Patton	
Barrett	Fite	Kendall	Perry	
Bridges	Golson	Lamberth	Summerlin	
Burnside	Gulledge	Langan	Swift	
Cater	Hardwick	Mize	Wright	
Clayton	Harvey	Owens		—26

Nays:

—0

The Bill:

S. 540. To require the tax assessor and tax collector of counties having a population of not less than 23,000 nor more than 25,000 inhabitants as shown by the last or any subsequent federal census, in addition to such duties as are now required of them by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor and tax collector of such counties, to be paid out of the general fund of such counties, on account of such extra and additional duties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Cooper	Kendall	Quarles	
Barrett	Fite	Lamberth	Summerlin	
Boutwell	Golson	Mize	Swift	
Bridges	Gulledge	Owens	Wright	
Clayton	Hooton			—21

Nays: —0

The Bill:

S. 539. To impose additional duties upon the county solicitor of any county having a population of not less than 23,000 nor more than 25,000 inhabitants and to increase his compensation for the performance of such duties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Lamberth	Perry	
Allen	Gulledge	Mize	Quarles	
Burnside	Hooton	Owens	Summerlin	
Cater	Howle	Patterson	Swift	
Cooper	Hughes	Patton	Wright	
Fite	Kendall			—21

Nays: —0

The Bill:

S. 555. Supplemental to Act No. 538, H. 1009, approved September 16, 1939 (Local Acts of Alabama, 1939, page 329), as amended, which establishes the Inferior Court of Geneva County: To increase the jurisdiction of the Court and to increase the com-

pensation of the judge of the Court for the performance of the additional duties resulting therefrom.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Owens	
Allen	Golson	Kendall	Patterson	
Barrett	Gulledge	Lamberth	Summerlin	
Cater	Harvey	Low	Swift	
Coleman	Hooton	Mize	Wright	
Cooper	Howle			—21

Nays:

—0

The Bill:

S. 556. To authorize and direct the governing body of Geneva County to pay the salary of an additional clerk or deputy for the Sheriff of the County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Hooton	Owens	
Allen	Coleman	Howle	Quarles	
Barrett	Cooper	Hughes	Summerlin	
Boutwell	Fite	Kendall	Swift	
Bridges	Golson	Lamberth	Wright	
Cater	Harvey			—21

Nays:

—0

The Bill:

H. 742. To propose an amendment to the Constitution of Alabama to prohibit the municipality of Phenix City from granting any franchise to a public utility for a period of more than thirty years.

Was read a third time at length as required by the Constitution and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Burnside	Cooper	Hooton
Allen	Cater	Gulledge	Howle
Barrett	Clayton	Hardwick	Hughes
Bridges	Coleman	Henderson	Kendall

Lamberth	Mize	Patterson	Perry	
Langan	Owens	Patton	Wright	
Lowe				—24
Nays:				—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Fite:

S. J. R. No. 9. Relative to memorializing the Congress, the President, and the Secretary of Defense of the United States in protest against all proposals for Federalization of the National Guard.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 433. To amend Section 209 of Title 52 of the 1940 Code of Alabama, which relates to the Minimum Program Fund.

was taken up.

Mr. Langan offered the following amendment to the bill, to-wit:

Amend Senate Bill 433 paragraph 2 "Determining the cost of the seven months or established minimum program" sub-section b. by striking the words "one mile" where the same appears therein and substituting in lieu thereof the words "one and one-half miles".

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Coleman	Henderson	Mize	
Allen	Cooper	Hooton	Patterson	
Barrett	Fite	Howle	Perry	
Boutwell	Golson	Hughes	Quarles	
Bridges	Gulledge	Lamberth	Summerlin	
Burnside	Hardwick	Langan	Swift	
Cater	Harvey	Lowe	Wright	
Clayton				—28

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Clayton	Harvey	Lowe
Allen	Coleman	Henderson	Mize
Barrett	Cooper	Hooton	Patterson
Boutwell	Fite	Howle	Perry
Bridges	Golson	Hughes	Quarles
Burnside	Gulledge	Lamberth	Summerlin
Cater	Hardwick	Langan	Wright

—27

Nays:

—0

The Bill:

H. 834. To enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Kendall	Perry
Allen	Fite	Lamberth	Quarles
Barrett	Golson	Lowe	Summerlin
Boutwell	Gulledge	Patterson	Swift
Bridges	Howle	Patton	Wright
Coleman	Hughes		

—21

Nays:

—0

The Bill:

H. 859. To authorize the governing body of DeKalb County, Alabama to impose an excise tax on persons, corporations, co-partnerships, companies, agencies, and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

was taken up.

Mr. Burnside offered the following amendment to the bill, to-wit:

Amend Section 1 of H. B. 859 by striking out the following words as they appear beginning in the third line of this Bill: "Provided that nothing contained in this Act shall apply to those

products commonly known as 'kerosene oil', 'fuel oil', and 'crude oil' used for lighting or heating purposes", and substitute the following words: "Provided, however, that nothing in this Act shall be held to apply to those products known commercially as 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hooton	Lowe	
Allen	Coleman	Howle	Patterson	
Barrett	Cooper	Hughes	Patton	
Boutwell	Fite	Kendall	Perry	
Bridges	Golson	Lamberth	Quarles	
Burnside	Gulledge			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hooton	Mize	
Allen	Cooper	Kendall	Owens	
Barrett	Fite	Lamberth	Perry	
Boutwell	Golson	Langan	Quarles	
Bridges	Gulledge	Lowe	Summerlin	
Burnside	Henderson			—21

Nays: —0

The Bill:

H. 836. To provide for the City of Sheffield a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violations.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Howle	Patterson	
Allen	Clayton	Hughes	Patton	
Barrett	Fite	Kendall	Perry	
Boutwell	Golson	Lamberth	Quarles	
Bridges	Gulledge	Langan	Summerlin	
Burnside	Hardwick			—21

Nays: —0

The Bill:

H. 736. To prohibit the probate judge in all counties having a population of not less than 67,500 and not more than 75,000 from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit; and repealing conflicting laws.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the bill, to-wit:

SENATE JUDICIARY COMMITTEE AMENDMENT TO
H. B. 736

Amend Section 1 by striking therefrom the period after the word "affidavit" where it appears in said section, and inserting in lieu thereof a comma; and by adding thereafter the words "or for taking an acknowledgment."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hooton	Langan	
Allen	Cooper	Howle	Patterson	
Barrett	Fite	Hughes	Patton	
Boutwell	Golson	Kendall	Perry	
Bridges	Gulledge	Lamberth	Quarles	
Burnside	Henderson			—21

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Howle	Patterson	
Allen	Cooper	Hughes	Patton	
Barrett	Fite	Kendall	Perry	
Boutwell	Gulledge	Lamberth	Quarles	
Bridges	Hardwick	Mize	Wright	
Burnside	Hooton			—21

Nays:

—0

The Bill:

H. 829. To authorize and empower the Circuit Clerk of Autauga County, Alabama, to appoint a Deputy Clerk, and to fix the salary and to provide the method of payment of salary.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Gulledge	Owens	
Allen	Clayton	Howle	Patterson	
Barrett	Coleman	Hughes	Quarles	
Boutwell	Cooper	Kendall	Swift	
Bridges	Fite	Mize	Wright	
Burnside	Golson			—21

Nays: —0

The Bill:

H. 823. To amend Section 4 of Act No. 101, H. 498, approved October 19, 1932 (Local Acts, Extra Session 1932, p. 45), entitled, "An Act to provide for the election of a County Superintendent of Education for Shelby County, Alabama, by the qualified voters of said County; to provide the duties and fix the term of office and compensation and qualifications of such officer, and to provide for the selection and expenses of clerical help for said office and other expenses incident thereto."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Lamberth	Patterson	
Allen	Hardwick	Langan	Patton	
Bridges	Harvey	Lowe	Perry	
Cater	Howle	Mize	Quarles	
Fite	Hughes	Owens	Summerlin	
Golson	Kendall			—21

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Coleman, further consideration of the bill, S. B. 443, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

By Mr. Mize:

S. 508. To make an appropriation out of the general fund of Tuscaloosa County for the relief of Kathleen Matthews, an employee of Tuscaloosa County, who was injured while performing her duties.

Also:

By Mr. Hardwick:

S. 524. To amend Sections 3, 18 and 27 of an Act approved August 7, 1947, Page 196 of Local Acts of Alabama, known as Civil Service Act of Dothan, Alabama.

Also:

By Mr. Cater:

S. 529. To provide for the appointment of a Clerk of the Montgomery County Board of Revenue; to prescribe his duties; to authorize the Montgomery County Board of Revenue to fix his compensation, the same to be payable out of the general fund of the county; and to provide for his official bond.

Also:

By Mr. Cater:

S. 528. Relating to the salaries of the officers of the Juvenile and Court of Domestic Relations—Montgomery County, Alabama, to fix the salary of the Clerk of the Juvenile and Court of Domestic Relations—Montgomery County Alabama, and to fix the maximum amount of the respective salaries to be received by the Probation Officers of said Juvenile and Court of Domestic Relations—Montgomery County, Alabama.

Also:

By Mr. Hardwick:

S. 506. To alter and rearrange the boundaries of the Town of Cottonwood, Houston County, Alabama.

Also:

By Mr. Kendall:

S. 509. To authorize the Circuit Clerk of Conecuh County, Alabama, to employ and prescribe the duties of a Secretarial Assistant; to provide a salary for such assistant; to provide how the same is to be paid.

Also:

By Mr. Hardwick:

S. 525. To amend Section 3 of an act approved May 19, 1945 entitled "To fix the compensation or salary to be paid the Tax Collector of Houston County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistants, and other expenses in said office of the Tax Collector of Houston County, Alabama, and to require said Tax Collector to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay the same into the county treasury of Houston County; to provide for the payment of the salary or compensation of said Tax Collector of Houston County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Houston County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of said Tax Collector to prohibit rebates of compensation allowed for clerks, deputies and clerical assistants and to provide the punishment therefor, and to prescribe when this act shall go into effect.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Nelson:

H. J. R. 89. WHEREAS, the financial resources of the State of Alabama to support state institutions of higher learning are limited;

WHEREAS, the duplication of facilities and faculty for similar courses of instruction at the various state institutions of higher learning is regarded as extravagant and wasteful;

WHEREAS, efficiency and economy in the administration of state institutions of higher learning is essential; and

WHEREAS, the Legislature desires the establishment of an integrated system of state-supported higher education, now therefore.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. The boards of trustees of Alabama College, Alabama Polytechnic Institute, and the University of Alabama are hereby respectfully requested to work together in studying and adopting a cooperative agreement for the establishment of an integrated system of state-supported higher education, to the end that needless duplication of facilities and faculty among the institutions be eliminated.

2. The Clerk of the House of Representatives is directed to send a copy of this joint resolution to the chairmen of the boards of trustees of Alabama College, Alabama Polytechnic Institute, and the University of Alabama.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 89, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Malone:

H. 898. To establish a four member Board of Revenue for Houston County, Alabama; To fix the salaries of members of said Board, manner of payment, term of office and time of election of members thereof and to provide all their duties under said act, including their additional duties; to divide said county into four districts and to provide the effective date therefor; to provide for the election of their successors in office, and the duties of the Judge of Probate with reference to said Board; to employ, discharge and fix the salary of the Road and Bridge Foreman; to provide that the Road and Bridge Foreman shall with the approval of the Board of Revenue employ and fix the compensation of agents, his assistants, overseers, workmen and laborers required for said work, and shall with the counsel, assistance and approval of said Board of Revenue purchase all necessary road material, machinery, teams, tools, supplies and equipment; to repeal all laws in conflict herewith and to fix qualifications of members of the Board of Revenue.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced for passage at the present session of the Legislature of Alabama a local bill providing in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To establish a four member Board of Revenue for Houston County, Alabama; To fix the salaries of members of said Board, manner of payment, term of office and time of election of members thereof to divide said county into four districts and to provide the effective date therefor; to provide for the election of their successors in office, and the duties of the Judge of Probate with reference to said Board; to employ, discharge and fix the salary of the Road and Bridge Foreman; to provide that the Road and Bridge Foreman shall with the approval of the Board of Revenue employ and fix the compensation of agents, his assistants, overseers, workmen and laborers required for said work, and shall with the council assistance and approval of said Board of Revenue purchase all necessary road material, Machinery, teams, tools, supplies and equipment; to repeal all laws in conflict herewith and to fix qualifications of members of the Board of Revenue.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established a four member Board of Revenue for Houston County, Alabama, effective on and after the passage and approval of this bill or act and it becomes a law. The Board is to be composed of the Judge of Probate as member and chairman, and four other members who now compose the Board of Revenue, are to be the same persons now constituting the Board of Revenue of Houston County, Alabama, and shall hold office for the remainder of the present term and until their successors are elected and qualified. Each of said members of the Board of Revenue shall receive as compensation the sum of \$1,200.00 annually, except the Judge of Probate who shall not receive additional compensation, and shall be paid in equal monthly installments out of the general funds of the County on warrants drawn by the Judge of Probate.

Section 2. That Houston County, Alabama, is hereby divided into four Board of Revenue Districts, as follows: District Number 1 shall embrace and be composed of Beats Number 1, 2 and 4; District Number 2 shall embrace and be composed of Beats Number 5, 6, 7, and 10; District Number 3 shall embrace and be composed of Beats Number 3, 8 and 9; District Number 4 shall embrace and be composed of Beats Number 11, 12, 13 and 14. One member of said Board of Revenue hereby created shall hereafter be elected from each of the above districts, and he must be a resident of and a qualified elector in the District at the General Election to be held on the first Tuesday after the first Monday in November, 1950, and shall assume the duties of office on the first Monday after the second Tuesday in January, 1951, following their election they shall hold office for a period of 4 years and until their successors are elected and qualified.

Section 3. That candidates for the Board of Revenue of Houston County, Alabama, shall be nominated in the primary next preceding the General Election at which time they shall be elected.

Section 4. That there is hereby conferred upon said Board of Revenue of Houston County, Alabama, and the members thereof, all of the general authority, power and duties now provided, or which may hereafter be provided to Board of Revenue or Commissioners Court, under the general laws of the State of Alabama, and amendments thereto not inconsistent with the provisions of this Act, and for the Acts of said Court equal, several and joint liability are hereby fixed for the members thereof. And in addition to the above duties and powers set out, the members of the Board of Revenue shall in addition to the regular monthly meeting of the Board of Revenue on the second Monday of each month:

they will be required and it will be their additional duty to hold a meeting of the Board of Revenue on the fourth Monday in each month after this act becomes effective. And in addition to the above duties and powers set out the members of the Board of Revenue, except the Judge of Probate, shall be required to make a monthly inspection of all roads and bridges in their Districts, and make a report thereof of their findings at the next regular meeting of the Board; and the Road and Bridge Foreman with the approval of the Board of Revenue, shall employ and fix the compensation of all agents, assistants, overseers, workmen, and laborers required for said work, and shall with the counsel, assistance and approval of said Board, purchase all necessary road machinery, material, teams, tools, supplies, and equipment as hereinafter provided, used in and about the work on the roads and bridges of the County.

Section 5. That in case of vacancy of the Board of Revenue, such vacancy shall be filled by appointment by the Governor of Alabama, and the person appointed shall hold office for the remainder of the term and until his successor has qualified.

Section 6. The Board of Revenue shall elect or appoint a Road and Bridge Foreman as head of the Road and Bridge Department, and fix his salary in a sum not to exceed \$250.00 per month, and make said appointment immediately after vacancy is created in said office, and each succeeding Board of Revenue shall make said appointment immediately after their induction into office. The said Road and Bridge Foreman shall serve for a period of four years and until his successor is elected and qualified unless removed for cause. And, the present county road foreman if one will hold over and become Road and Bridge Foreman at the salary he is now receiving as County Road Foreman until after the first Monday after the second Tuesday in January, 1951.

Section 7. That no purchase, or contract to purchase any road or bridge material, teams, tools, machinery, supplies or equipment shall be made, or any contract for the construction, maintenance or repair or any road let either by Board of Revenue or Road and Bridge Foreman, if the amount involved or the value thereof exceed \$25.00 except to the lowest responsible bidder, and where the amount of purchase or contract to be let, is in excess of \$25.00 and not greater than \$200.00 the Board of Revenue shall have posted a notice on the bulletin board in front of the Courthouse of Houston County, Alabama, five days prior to the meeting at which said purchase is to be made, and if the amount of purchase to be made or contract to be let be in excess of \$200.00 notice must be given that bids will be received for such purchase or contract by advertising same for a period of 20 days, by publication for once a week for two consecutive weeks in a newspaper published in Houston County, Alabama. And, in addition to the above notice or notices, if amount be in excess of \$200.00 the chairman of said Board of Revenue shall give written notice by registered mail with return receipt requested of such contemplated purchase or purchases to at least three merchants or dealers in the goods or materials to be purchased, and like notice of any contract to let, to at least three contractors engaged in the work contemplated. Such notice or notices, together with return receipts, must be recorded in and become a part of the minutes of the Board of Revenue of Houston County, Alabama. Provided however, in case of emergency, for the purchase of machinery parts no advertisement shall be required as above stipulated. Any and all contracts made and entered into or purchases made by the Board of Revenue except for purchases or emergency machinery parts in violation of terms of this Section shall be null and void, and it shall be unlawful for the Probate Judge to issue warrants in payment of same.

Section 8. That all laws, both general, special or local, and parts of laws in conflict with the provisions of this Act are hereby repealed, and especially repealing House Local Bill No. 378 approved July 23, 1931,

by the Governor of Alabama, and House Local Bill approved June 27, 1935, by the Governor of Alabama, and House Local Bill 1014 approved September 13, 1935, by the Governor of Alabama, and Senate Local Bill No. 294 set out on pages 133, 134, 135 and 136 in local act of Alabama in the year 1939, and which act became a law under Section 125 of the Constitution.

Section 9. That if any section provision, clause or portion of this Act shall be declared, by court of competent jurisdiction, to be invalid or unconstitutional same shall not be held to effect any other section, provision, clause or portion of this Act, but same shall remain in full force and effect.

Section 10. That the provision of this Act shall take effect upon the approval thereof by the Governor of Alabama or by passage otherwise.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, on the following dates: June 22, 29, July 6, 13, 1949; in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

J. T. LANE, JR.

Sworn to and subscribed before me on this 14 day of July, 1949.

E. R. WHALEY,
Notary Public.

Also:

By Messrs. Miller and Roberts:

H. 892. To amend Section 68 of Title 52 of the Code of Alabama (1940), which relates to the compensation of members of the county board of education.

Also:

By Messrs. Miller and Roberts:

H. 893. To alter or re-arrange the boundary lines of the City of Attalla, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given of intention to introduce in the 1949 Regular Session of the Legislature and to press for passage of a Special, Private or Local Bill in substance as follows:

A BILL TO BE ENTITLED AN ACT

To alter or re-arrange the boundary lines of the City of Attalla, Etowah County, Alabama, so as to include within the corporate limits

of said city all territory now within such corporate limits and also certain other territory in Etowah County Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Boundary lines of the City of Attalla Etowah County, Alabama, be, and the same are altered or re-arranged so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama; all of which territory is more particularly described as being all of the territory lying within the County of Etowah, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

Beginning at the Northeast Corner of Section Two, Township Twelve South, Range Five East of the Huntsville Meridian and running in a Westerly direction along the section line a distance of 3820 feet, more or less, to a point in the West bank of Little Wills Creek; thence in a Northerly direction and along the West bank of said Creek a distance of 5200 feet, more or less, to a point in the North line of the Southwest Quarter of the Northeast Quarter, Section 35, Township 11, Range 5; thence in a Westerly direction and along the quarter section line a distance of 3100 feet, more or less, to the Northwest corner of the Southwest Quarter of the Northwest Quarter of Section 35, Township 11, Range 5; thence in a Southerly direction and along the Section line a distance of 1320 feet, more or less, to the Southwest corner of the Southwest Quarter of the Northwest Quarter of Section 35, Township 11, Range 5; thence in a Westerly direction and along the half Section line a distance of 5280 feet, more or less, to the Northwest corner of Fraction 15, Section 34, Township 11, Range 5; Thence in a Southerly direction and along the Section line a distance of 2640 feet, more or less, to the Southwest corner of Section 34, Township 11, Range 5; thence in a Southwesterly direction and along the North line of Fraction "A", Section 3, Township 12, Range 5, a distance of 1702 feet, more or less, to the Northwest corner of said Fraction "A"; thence in a Southerly direction and along the West line of Fractions "A" and "C" of Section 3, Township 12, Range 5; a distance of 3400 feet, more or less, to the Southwest corner of Fraction "C", Section 3, Township 12, Range 5; thence in a Southwesterly direction a distance of 2340 feet, more or less, to a point where the East line of Section 9, Township 12, Range 5 intersects the East Banks of Big Wills Creek; thence in a Southeasterly direction and along the East bank of said Big Wills Creek a distance of 1600 feet, more or less, to a point which is 300 feet from and at right angle to the Northwest right of way line of the Attalla-Birmingham Highway; thence in a Southwesterly direction and parallel to said right of way line a distance of 1620 feet, more or less, to a point in the North line of the Northeast Quarter of the Southeast Quarter of Section 9, Township 12, Range 5, which point is 550 feet, more or less, West of the Northeast corner of said forty; thence in a Northwesterly direction 2040 feet, more or less, to a point which point is 500 feet East of the Northeast corner of the Southeast Quarter of the Northwest Quarter of Section 9, Township 12, Range 5; thence in a Westerly direction and along the quarter section line a distance of 2480 feet, more or less, to a point in the North line of the Southwest Quarter of the Northwest Quarter of section 9, Township 12, Range 5, which point is 660 feet West of the Northeast corner of said forty; thence in a Southerly direction and parallel to the East line of Sections 9 and 16 a distance of 5824 feet, more or less, to a point in the Southeast right of way line of the Alabama Great Southern Railroad; thence in a Northeasterly direction and along said right of way line a distance of 930 feet, more or less, to a point in the South line of the Northeast Quarter of the Northwest Quarter of Section 16, Township 12, Range 5, thence in an Easterly direction and along the quarter section line a distance of 3171.9 feet, more or less, to a point in the North line of the Southeast Quarter of the Northeast Quarter of Section

16, Township 12, Range 5, which point is 281.2 feet West of the center line of Usry Drive, as shown by map of Meadow Lawn No. 1, as recorded in Plat Book "E" page 155, Office of the Judge of Probate of Etowah County, Alabama; thence in a Southerly direction and parallel to the center line of said Usry Drive, and said center line extended in a direct line, a distance of 5270 feet, more or less, to a point in the South line of the Northeast Quarter of the Northeast Quarter of Section 21, Township 12, Range 5; thence in an Easterly direction and along the quarter section line a distance of 4215.5 feet, more or less, to a point in the South line of the Northwest Quarter of the Northeast Quarter in Section 22, Township 12, Range 5, which point is midway between the Southeast corner and the Southwest corner of said forty; thence in a Northerly direction and parallel to the East line of Sections 22 and 15 a distance of 3957.5 feet, more or less, to a point in the South line of the Southwest Quarter of the Northeast Quarter, Section 15, Township 12, Range 5, which point is midway between the Southeast corner and the Southwest corner of said forty; thence in an Easterly direction and along the half section line a distance of 3265.5 feet to the Southeast corner of the Southwest Quarter of the Northwest Quarter of Section 14, Township 12, Range 5; thence in a Northerly direction and along the quarter section line a distance of 2662 feet, more or less, to a point in the East line of the Southwest Quarter of the Southwest Quarter, Section 11, Township 12, Range 5, which point is 40 feet North of the center line of the Gilberts Ferry Road; thence in a Westerly direction and parallel to the Gilberts Ferry Road a distance of 2630 feet, more or less, to a point in the West line of the Northeast Quarter of the Northeast Quarter, Section 15, Township 12, Range 5; thence in a Northerly direction and along the quarter section line a distance of 1349 feet, more or less, to the Northeast corner of the Southwest Quarter of the Southeast Quarter, Section 10, Township 12, Range 5; thence in a Westerly direction and along the quarter section line a distance of 623.5 feet, more or less, to a point which is midway between the Northeast corner and the Northwest corner of said forty; thence in a Northerly direction and parallel to the East line of Section 10, Township 12, Range 5, a distance of 1900 feet, more or less, to a point in the southwest bank of Big Wills Creek; thence in a Westerly direction and along the Southwest bank of said creek a distance of 2700 feet, more or less, to a point in the Southeast right of way line of the Alabama Great Southern Railroad; thence in a Northeasterly direction and along said right of way line a distance of 3550 feet, more or less, to a point in the South line of fraction 14, Section 3, Township 12, Range 5, thence in an Easterly direction and along the section line a distance of 2340 feet more or less, to the Southeast corner of Fraction 15, Section 3, Township 12, Range 5; thence in a Northerly direction and along the quarter section line a distance of 1320 feet, more or less, to the Northeast corner of Fraction 15, Section 3, Township 12, Range 5; thence in an Easterly direction and along the quarter section line a distance of 6600 feet, more or less, to the Southeast corner of the Northeast Quarter of the Southeast Quarter, Section 2, Township 12, Range 5; thence in a Northerly direction and along the Section line a distance of 3960 feet to the point of beginning, all of the above described lands lying and being in Sections 34 and 35, Township 11 South, Range 5 East and in Sections 2, 3, 4, 9, 10, 11, 14, 15, 16, 21 and 22, Township 12 South, Range 5 East, Etowah County, Alabama.

SECTION 2. That the boundaries set out in Section One of this Act be, and the same are hereby established as the corporate limits of the City of Attalla, Etowah County, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute a part of the City of Attalla, Etowah County, Alabama.

SECTION 3. That all laws and parts of laws, both general, special and local, in conflict with this Act be, and the same are hereby repealed.

SECTION 4. That this Act shall go into effect immediately upon its approval by the Governor.

EDWARD B. MILLER
JAMES B. ALLEN
E. L. ROBERTS

June 14, 21, 28; July 5.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
ETOWAH COUNTY

I Walter Betz, Cashier of the Gadsden Times, a newspaper published in Etowah County, Alabama, do hereby certify that the following legal advertisement a copy of which is hereto attached was published in said newspaper on the following dates, June 14th, 21st, 28th and July 5th, 1949.

WALTER BETZ.

Sworn to and subscribed before me of this the 12th day of July, 1949.
FLORINE S. TAYLOR,
Notary Public.

Also:

By Messrs. Miller and Roberts:

H. 894. To alter or Re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given of intention to introduce in the 1949 Regular session of the Legislature and to press for passage of a special, private or local bill in substance as follows:

A BILL TO BE ENTITLED AN ACT

To Alter or Re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Boundary lines of the City of Gadsden, Etowah County, Alabama, be, and the same are altered or re-arranged so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama; all of which territory is more particularly described as being all of the territory lying within the County of Etowah, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

Begin at the Northeast corner of the Southeast Quarter (SE¼) in Section Seventeen (17), Township Eleven (11) South, of range Six (6) East of Huntsville Meridian, Etowah County, Alabama, and from thence run in a Southerly direction and along the East line of said Section Seventeen (17) and the East line of Section Twenty (20), Township Eleven (11) South of Range Six (6) East of Huntsville Meridian to the Southeast corner of the Northeast Quarter (NE¼) of the Northeast quarter

(NE $\frac{1}{4}$) in said Section Twenty (20); thence in a Westerly direction and along the South line of said Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in Section Twenty (20) to the Southwest corner thereof, which is also the Northeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Twenty (20); thence in a Southerly direction and along the East line of the said Southwest Quarter (SW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) in Section Twenty (20) to the Southeast corner thereof; thence in a Westerly direction and along the South line of said Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) to the Southwest corner thereof, which is also the Northeast corner of the Southwest Quarter (SW $\frac{1}{4}$) in said Section Twenty (20); thence in a Southerly direction and along the East line of said Southwest Quarter (SW $\frac{1}{4}$) to the Southeast corner thereof, which is also the Northwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in Section Twenty-nine (29), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian; thence in an Easterly direction and along the North line of said Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in said Section Twenty-nine (29) to the Northeast corner thereof; thence in a Southerly direction and along the East line of the West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) in said Section Twenty-nine (29) to the Southeast corner thereof, which is also the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) in said Section Twenty-nine (29); thence in an Easterly direction and along the North line of said Northeast Quarter (NE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) in Section Twenty-nine (29), and along the North line of the Southwest Quarter (SW $\frac{1}{4}$) in Section Twenty-eight (28), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian, to the Northeast corner of said Southwest Quarter (SW $\frac{1}{4}$) in Section Twenty-eight (28) thence in a Southerly direction and along the East line of the Southwest Quarter (SW $\frac{1}{4}$) in said Section Twenty-eight (28) and along the East line of the West Half (W $\frac{1}{2}$) of Section Thirty-three (33), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian to the Northwest corner of the South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) in said Section Thirty-three (33); thence in an Easterly direction and along the North line of the South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) in said Section Thirty-three (33) and along the North line of the South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) in Section Thirty-four (34), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian to the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Thirty-four (34); thence Northerly along the West line of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-four (34) to the Northwest corner thereof; thence Easterly along the North line of the said Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-four (34) to the Northeast corner thereof; thence Northerly along the West line of the East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Thirty-four (34) to the Northwest corner thereof; thence Easterly along the North line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-four (34) to the Northeast corner of said Section, which is also the Southwest corner of Section Twenty-six (26), Township Eleven (11) South, of Range Six (6) East; thence Northerly along the West line of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-Six (26) to the Northwest corner thereof; thence Easterly along the North line of the said Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-six (26) to the Northeast corner thereof; thence Northerly along the West line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Twenty-six (26) to the Northwest corner thereof; thence Easterly along the North line of Sections Twenty-six (26) and Twenty-five

(25) to the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Twenty-five (25); thence Southerly along the East line of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-five (25) to the Southeast corner thereof; thence Westerly along the South line of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-five (25) to the Southwest corner thereof; thence Southerly along the East line of the West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-five (25), and the East line of the West Half (W $\frac{1}{2}$) of the West Half (W $\frac{1}{2}$) of Section Thirty-six (36) to the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Thirty-six (36), Township Eleven (11) South, of Range Six (6) East; thence Westerly along the South line of Section Thirty-six (36) and Section Thirty-five (35), Township Eleven (11) South of Range Six (6) East to the Southwest corner of said Section Thirty-five (35), which is also the Northeast corner of Section Three (3); thence Southerly along the East line of Section Three (3), Township Twelve (12) South, of Range Six (6) East to a point where said line intersects the South bank of Coosa River at low water mark; thence Southeasterly along the South bank of Coosa River to a point where the East line of the West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twelve (12), Township Twelve (12) South, of Range Six (6) East intersects the South bank of Coosa River at low water mark; thence Southerly along the East line of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Twelve (12) to the Southeast corner thereof; thence Easterly along the North line of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) and the North line of the South Half (S $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Twelve (12) to the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Twelve (12); thence Southerly along the East line of Sections Twelve (12) and Thirteen (13), Township Twelve (12) South, of Range Six (6) East to where said line intersects the Cherokee Indian Boundary line; thence in a Southeasterly direction and along said Indian Boundary line to the Northeast corner of Section Nineteen (19), Township Twelve (12) South, of Range Seven (7) East of Huntsville Meridian; thence in a Southerly direction and along the East line of said Section Nineteen (19) to the Southeast corner of said Section Nineteen (19) and to the corporate line of the Town of Glencoe as shown by a map thereof recorded in Final Record "V" page 114, in the Probate Court, Etowah County, Alabama; thence in a Westerly direction and along the South line of said Section Nineteen (19) and along the corporate line of the Town of Glencoe to where the corporate line of the Town of Glencoe turns in a Northwesterly direction; thence in a Northwesterly direction and along the corporate line of the Town of Glencoe to where said corporate line turns in a Southerly direction and along the corporate line of the Town of Glencoe to a point in the South line of said Section Nineteen (19); thence in a Westerly direction and along the South line of said Section Nineteen (19) to the Southwest corner of said Section Nineteen (19); thence in a Northerly direction and along the West line of said Section Nineteen (19) to the Southwest line of the Gadsden and Anniston Highway, as shown by the map of McCord's Subdivision recorded in Plat Book "D", page 119, Probate Office, Etowah County, Alabama; thence in a Northwesterly direction and along the Southwest line of said Highway to the South line of the North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) in Section Twenty-four (24), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian; thence in a Westerly direction and along the South line of said North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) in said Section Twenty-four (24) and along the South line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Twenty-four (24) to a point in the Northeast line of Keeling

Road, as shown by the map of Hadley Farms recorded in Plat Book "B", page 236, in said Probate Office; thence in a Northwesterly direction and along the Northeast line of the Keeling Road to the Indian Boundary line; thence in a Northwesterly direction and along the Indian Boundary line to the Southwest corner of the Northeast Part of the Southeast Fractional Quarter in Section Fourteen (14), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian; thence in a Northerly direction and along the West line of said Northeast Part of the Southeast Fractional Quarter in said Section fourteen (14) to the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in said Section Fourteen (14); thence in a Westerly direction and along the South line of said Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in said Section Fourteen (14) to the Southeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Fourteen (14); thence in a Northerly direction and along the East line of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Fourteen (14) a distance of 495 feet; thence in a Westerly direction and parallel with the South line of said Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) to the West line thereof; thence Northerly and along the West line of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Fourteen (14) to the Southeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Fourteen (14); thence in a Westerly direction and along the South line of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Fourteen (14) to the West line of said Section Fourteen (14); thence Southerly along the West line of Section Fourteen (14), which is the East line of Section Fifteen (15) to a point four hundred ninety-two (492) feet South of the Southeast corner of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Fifteen (15), thence South thirty-four (34) degrees thirty-seven (37) minutes West, along the East lines of Lots Eighteen (18) and Nineteen (19) of Block Seven (7) of the Crestview Land Company Addition, two hundred (200) feet, thence North fifty (50) degrees thirteen (13) minutes West along the South boundary of the Crestview Land Company Addition one thousand six hundred seventy-eight (1678) feet, thence North twenty-seven (27) degrees twenty-two (22) minutes East along the Northwest boundary of the Crestview Land Company Addition to a point on the North and South center line of the Northeast Quarter (NE $\frac{1}{4}$) of Section Fifteen (15), where said Northwest boundary of Crestview Land Company Addition intersects center line; thence Northerly along the said center line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Fifteen (15) to the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Fifteen (15), which is the Southwest corner of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$) of Section Ten (10) Township Twelve (12) South, of Range Six (6) East; thence in a Westerly direction and along the South line of said Section Ten (10) and along the South line of Section Nine (9), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian to the Northeast corner of Government Lot Number Three (3) in Section Sixteen (16), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian; thence a Southerly direction and along the East lines of Government Lots Numbers Three (3), Six (6), Nine (9), and Eleven (11) and said lines extended to the South bank of Big Wills Creek, thence in an Easterly direction and down the South bank of said Creek to a point where the East line of the West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) in Section Twenty-one (21), Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian, produced Northerly, intersects said Creek bank; thence Southerly and along the East line of the West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) in said Section Twenty-one (21), and said

line produced in a Northerly direction, to a point in the Northwest right-of-way line of the Gadsden-Birmingham Highway, otherwise known as Rainbow Drive; thence in a Southwesterly direction and along the Northwest right-of-way line of said Highway to the South line of the North Half ($N\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Twenty-one (21); thence in a Westerly direction and along the South line of the North Half ($N\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Twenty-one (21) to the West line of said Section Twenty-one (21); thence Northerly and along the West line of said Section Twenty-one (21) to the Southerly bank of Big Wills Creek; thence in a Northeasterly and Easterly direction and along the Southerly bank of said Creek to a point which is two hundred (200) feet West, drawn on a line parallel with the North line of Section Sixteen (16) hereinbefore mentioned, from where the East line of Government Lot Number Eleven (11) in said Section Sixteen (16), if produced in a Southerly direction, would intersect the South bank of said Creek; thence in a Northerly direction and parallel with the East lines of Government Lots Numbers Eleven (11), Nine (9), Six (6) and Three (3) in said Section Sixteen (16) and parallel with the East line of the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in Section Nine (9) Township Twelve (12) South, of Range Six (6) East of Huntsville Meridian to a point in the South line of the North Half ($N\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Nine (9); thence in a Westerly direction and along the South line of the North Half ($N\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Nine (9) to the Southwest corner thereof; thence Northerly and along the West line of the North Half ($N\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Nine (9) to the Southeast corner of the Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Nine (9); thence in a Westerly direction and along the South line of the Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Nine (9) and along the South line of the Northeast Quarter ($NE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in Section Eight (8) to the Southwest corner of the said Northeast Quarter ($NE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of said Section Eight (8), which is also the Northeast corner of the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Eight (8); thence Southerly along the East line of said Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Eight (8) and along the East lines of Lots or Fractions Two (2) and Seven (7), Section Seventeen (17) to the Southeast corner of Lot or Fraction Seven (7); thence Westerly along the South line of Lot or Fraction Seven (7); Section Seventeen (17) to the Southwest corner thereof; thence Northerly along the West line of said Lot or Fraction Seven (7) to the Northwest corner thereof; thence Westerly along the South line of Lots or Fractions Three (3) and Four (4) of Section Seventeen (17) and the South lines of Lots or Fractions One (1) and Two (2), Section Eighteen (18) to the Southwest corner of said Lot or Fraction Two (2); thence Northerly along the West line of said Lot or Fraction Two (2) to the Northwest corner thereof; said point being in the division line between Sections Seven (7) and Eighteen (18); thence Westerly along the South line of Section Seven (7) to the Southwest corner thereof; thence Northerly along the West line of Lot or Fraction Thirteen (13) to the Northwest corner of said Lot or Fraction Thirteen (13) of said Section Seven (7) which is also the Southeast corner of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Twelve (12); Township Twelve (12) South, of Range Five (5); thence Westerly along the South line East of the said Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Twelve (12) to the Southwest corner thereof; thence Northerly along the West line of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$)

of Section Twelve, (12) to the Northwest corner thereof; thence West along the South line of the Northwest Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Twelve (12) to the Southwest corner thereof which is the Southeast corner of Lot or Fraction "A" otherwise known as the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Twelve (12), Township Twelve (12) South, Range Five (5) East of Huntsville Meridian, and from thence run Southerly and along the East line of Fraction "C" in said Section Twelve (12) to the Southwest corner of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) in said Section Twelve (12); thence West and along the South line of said Southwest Quarter ($SW\frac{1}{4}$) of Northeast Quarter ($NE\frac{1}{4}$) in said Section Twelve (12) extended in a Westerly direction across said Fraction "C" to a point in the West, or Southwest bank of Big Wills Creek; thence Northerly and Northwesterly up and along the West, or Southwest bank of Big Wills Creek to a point which is one hundred forty (140) feet Southeast of, and at right angles to, the center line of the eighty (80) foot strip as described in a deed from the United States of America to Etowah County Alabama, dated the 25th of February, 1948, and recorded in Record Book "361" Page 153, Probate Office, Etowah County Alabama; thence South thirty-nine (39) degrees eighteen' (18) West and parallel with the center line described in said deed above mentioned to a point in the East line of the West Half ($W\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of said Section Twelve (12); thence Southerly and along the East line of the West Half ($W\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Twelve (12) and along the East line of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) in Section Thirteen (13), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, to the Southeast corner of said Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) in said Section Thirteen (13); thence in a Westerly direction and along the South line of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) in said Section Thirteen (13) and along the South line of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) in Section Fourteen (14), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, to a point in the West line of what is known as the "Airport" Road; thence Southerly and along the West line of said "Airport" Road to a point where the West right-of-way line of said "Airport" Road intersects the Northerly right-of-way line of what is known as the "Steel Station" Road; thence Westerly and Southwesterly and along the Northerly right-of-way line of said "Steel Station" Road to where said right-of-way line intersects the dividing line between Sections Twenty-six (26) and Twenty-seven (27), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian; thence Northerly and along said section line to the Southeast corner of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) in said section Twenty-seven (27); thence Westerly and along the South line of said Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) in Section Twenty-seven (27) to the Southwest corner thereof; thence North and along the West line of said Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) in Section Twenty-seven (27) and along the West line of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in Section Twenty-two (22); Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, to the Northwest corner of said Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in Section Twenty-two (22); thence East and along the North line of said Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in Section Twenty-two (22) to the Northeast corner thereof which said last mentioned point is in the West line of Section Twenty-three (23), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian; thence North and along the West line of said Section Twenty-three (23) a distance of one-half ($\frac{1}{2}$) mile to

the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Twenty-three (23); thence East and along the North line of said Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in Section Twenty-three (23) to the Northeast corner thereof; which is also the Southwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Twenty-three (23); thence Northerly and along the West line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) in said Section Twenty-three (23) and along the West line of the East Half (E $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) and the East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) in Section Fourteen (14), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, and along the West line of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) in Section Eleven (11), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, to a point of intersection with the North right-of-way line of the highway from Morgan's Crossroad to Camp Sibert; thence in a westerly direction and along the North right-of-way line of said Highway last mentioned, to where the same intersects the West line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in Section Fifteen (15), Township Twelve (12) South of Range Five (5) East of Huntsville Meridian, Alabama; thence North and along the West line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) in said Section Fifteen (15) and along the West line of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) in Section Ten (10), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian to the Northwest corner of said Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) in Section Ten (10); thence East and along the North lines of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) in Section Ten (10) and along the North line of the South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) and the South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) in Section Eleven (11), Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, Alabama, and along the North line of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) in Section Twelve (12) to a point which is one hundred forty (140) feet Northwest of, and at right angles to, the center line of the eighty (80) foot strip described in the deed from the United States of America to Etowah County, Alabama, dated the 25th of February, 1948, and recorded in Record Book "361" page 153, hereinbefore mentioned; thence North thirty-nine (39) degrees eighteen (18) minutes East and parallel with said Center line to a point in the West line of Lot, or Fraction, "C" in Section Twelve (12) Township Twelve (12) South, of Range Five (5) East of Huntsville Meridian, Alabama; thence Northerly and along the West line of Lots, or Fractions, "C" and "A" in said Section Twelve (12) to the North west corner of said Lot, or Fraction "A", which said point is in the present City Limits of the City of Gadsden; thence West along the South line of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section One (1), Township Twelve (12) South, Range (5) East to the Southwest corner thereof; thence Northerly and along the West line of said Section One (1) to the Northwest corner thereof; which is also the Southeast corner of Section Thirty-five (35), Township Eleven (11) South, of Range Five (5) East of Huntsville Meridian: thence in a Westerly direction and along the South line of said Section Thirty-five (35) to the East bank of Little Wills Creek; thence in a Northerly and Northeasterly direction up the East bank of Little Wills Creek to the North line of said Section Thirty-five (35); thence in an Easterly direction and along the North line of said Section Thirty-five (35) and along the North line of Section Thirty-six (36), Township Eleven (11) South, of Range Five (5) East of Huntsville Meridian and along the North line of Section Thirty-one (31), Township Eleven (11) South, of Range Six (6) East of Huntsville Meri-

dian to the North and South center line of Section (30), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian; thence Northerly and along the North and South center line of said Section Thirty (30) to a point in the South line of Section Nineteen (19), Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian; thence in an Easterly direction and along the South line of said Section Nineteen (19) to the Southwest corner of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in said Section Nineteen (19); thence Northerly and along the West line of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in said Section Nineteen (19) to the Northwest (NW) corner thereof thence Easterly and along the North line of the Southeast (SE) quarter, ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) in said Section Nineteen (19) to the West line of Section Twenty (20) Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian; thence Northerly and along the West line of said Section Twenty (20) to the Northwest corner of the Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Twenty (20); thence in an Easterly direction and along the North line of the Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in said Section Twenty (20) to the Southwest corner of the East Half ($E\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) in said Section Twenty (20); thence in a Northerly direction and along the West line of the East Half ($E\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) in said Section Twenty (20) to the South line of Section Seventeen (17); Township Eleven (11) South, of Range Six (6) East of Huntsville Meridian; thence in an Easterly direction and along the South line of said Section Seventeen (17) to the Southwest corner of the Southeast Quarter ($SE\frac{1}{4}$) in said Section Seventeen (17); thence in a Northerly direction and along the West line of the Southeast Quarter ($SE\frac{1}{4}$) in said Section Seventeen (17) to the Northwest corner thereof; thence in an Easterly direction and along the North line of the Southeast Quarter ($SE\frac{1}{4}$) in said Section Seventeen (17) to the point of beginning, all in Etowah County, Alabama.

Section 2. That the boundaries set out in Section One of this Act be, and the same are hereby, established as the corporate limits of said City of Gadsden, Etowah County, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute a part of the City of Gadsden, Etowah County, Alabama.

Section 3. That all laws and parts of laws both general, special and local, in conflict with this Act be, and the same are hereby repealed.

Section 4. That this Act shall go into effect immediately upon its approval by the Governor.

JAMES B. ALLEN,
EDWARD B. MILLER,
E. L. ROBERTS.

June 14, 21, 28; July 5.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA ETOWAH COUNTY

I Walter Betz, Cashier of the Gadsden Times, a newspaper published in Etowah County, Alabama, do hereby certify that the following legal advertisement a copy of which is hereto attached was published in said newspaper on the following dates, June 14th, 21st, 28th and July 5th, 1949.

WALTER BETZ.

Sworn to and subscribed before me of this the 12th day of July 1949.

FLORINE S. TAYLOR,
Notary Public.

Also:

By Messrs. Ingalls, Busby, Pinkston and Sightler:

H. 906. To fix the compensation or salary to be paid the tax assessor of Montgomery County, Alabama, and to regulate the payment of same, to provide for the selection of clerical help and other assistance to said officer and the manner of fixing their, compensation and paying the same, and to provide rules and regulations for the payment and conduct of such officer; and to require said officer to pay into the county treasury of said county all costs, charges of court, fees and commissions authorized by law to be collected by said officer as other monies belonging to said county are paid, except any salary, fees or commissions paid said officer for assessing or collecting taxes for any municipality.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill will be presented to the legislature of the State of Alabama during its present session for enactment into a local act, the substance of said bill being as follows:

A BILL TO BE ENTITLED AN ACT

To fix the compensation or salary to be paid the tax assessor of Montgomery County, Alabama, and to regulate the payment of same, to provide for the selection of clerical help and other assistance to said officer and the manner of fixing their, compensation and paying the same and to provide rules and regulations for the payment and conduct of such officer; and to require said officer to pay into the county treasury of said county all costs, charges of court, fees and commissions authorized by law to be collected by said officer as other monies belonging to said county are paid, except any salary, fees or commissions paid said officer for assessing or collecting taxes for any municipality.

Be It Enacted by the Legislature of Alabama:

Section 1. That the tax assessor of montgomery County, Alabama, shall be paid an annual salary, which shall be paid to and received by him in lieu of all other compensations, fees or emoluments, as follows: The tax assessor shall receive an annual salary of four thousand dollars, net, except as hereinothwise provided, and an allowance of sixteen thousand six hundred dollars per annum, for office help a follows. one clerk at three thousand six hundred dollars per annum, and five clerks at twenty-four hundred dollars per annum, and one thousand dollars per annum for other expenses and ex-officio services of the said tax assessor. The said one thousand dollars to be paid to the tax assessor in monthly installments.

Section 2. The Board of Revenue or other governing body of like jurisdiction of Montgomery County, Alabama, is also authorized and empowered to furnish the Tax Assessor of said county extra clerical assistance not to exceed nine hundred dollars per annum whenever in their discretion such assistance is necessary. The personnel of said assistants to be selected by the said Tax Assessor.

Section 3. That the Tax Assessor shall pay into the county treasury of said county, all costs, charges of court, fees and commissions authorized by law, or which may hereafter be authorized by law to be collected by him as monies belonging to said county are paid. Provided that any salary, fees or commissions paid to said officer for assessing or collecting taxes of any municipality shall not be paid into the treasury of said county, but shall be held by said officer as compensation for such services

in addition to his salary as herein provided. The Board of Revenue or other governing body of like jurisdiction of Montgomery County, Alabama, shall have the power and authority to have audited the accounts of said officer for the purpose of requiring a strict compliance with the provisions of this Act.

Section 4. That all compensation and salary of the Tax Assessor and all allowances provided for expenses, clerical help and other assistance shall be paid out of the general fund of the said Montgomery County in monthly installments.

Section 5. That the premium on the Tax Assessor's bond and the bonds of his clerks and deputies shall be paid out of the general fund of Montgomery County.

Section 6. That all laws or parts of laws, general, local or special, in conflict with the provisions of this act be, and the same are hereby expressly repealed.

Section 7. That this act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 9, 16, 23, 30, 1949.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lucille Raffels, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Sec.-Treas. of the Montgomery Examiner, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 9, 16, 23, and 30, all in the year 1949.

LUCILLE RAFFELS.

Sworn to and subscribed before me July 7, 1949.

ALEC STEWART,
Notary Public.

Also:

By Mr. McClendon:

H. 895. Abolishing the fine and forfeiture fund of Chambers County: providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

A BILL TO BE ENTITLED AN ACT

Abolishing the fine and forfeiture fund of Chambers County: providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

Be It Enacted by the Legislature of Alabama:

Section 1. The fine and forfeiture fund of Chambers County is hereby abolished.

Section 2. It shall be the duty of the custodian of the fine and forfeiture fund of the county to transfer all money on hand in such fund on the effective date of this Act to the county general fund. Thereafter, all claims which would be payable from the fine and forfeiture fund except for this Act shall be paid from the general fund. Thereafter, all moneys which would be payable into the fine and forfeiture fund except for this Act shall be paid into the general fund.

Section 3. After the effective date of this Act when any person subpoenaed as a witness before the grand jury of the county procures a certificate of his attendance signed by the foreman of the jury, the certificate shall be paid out of the general fund on its presentation by the lawful holder thereof.

Section 4. After the effective date of this Act, when any person appears as a witness for the State in a criminal case in the circuit or county court of Chambers County and procures a certificate of his attendance signed by the clerk of the court, the certificate shall be paid out of the general fund on its presentation by the lawful holder thereof. When any fees are collected for State witnesses in the circuit or county court, the fees shall be paid into the general fund.

Section 5. All other claims accruing after the effective date of this Act and accruing against the general fund by reason of Sections 1 and 2, above, shall be paid on presentation of the certificates therefor by the lawful holders.

Section 6. All unpaid claims registered against the fine and forfeiture fund on the effective date of this Act shall be barred and the payment thereof prohibited unless re-registered as claims against the general fund within ninety days thereafter. No claim against the fine and forfeiture fund which is unregistered on the effective date of this Act shall be registered against the general fund or paid. Such claims as are re-registered against the general fund in accord with this Section shall be paid in the order of their prior registration against the fine and forfeiture fund, upon presentation of the certificates therefor by the lawful holders.

Section 7. All claims accruing after the effective date of this Act and accruing against the general fund by reason of Section 1 and 2, above, shall be preferred claims against that fund.

Section 8. All laws and parts of laws in conflict with this Act are repealed.

Section 9. The provisions of this Act are declared to be severable. If any part is declared invalid in any application such declaration shall not affect other parts or applications.

Section 10. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

44-41

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie D. Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having

appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1949.

BONNIE D. HAND.

Sworn to and subscribed before me July 15, 1949.

PEARL H. HAND,
Notary Public.

Also:

By Messrs. McIlwain and Roberts:

H. 726. To make it a felony for a father to fail or refuse without just cause or legal excuse to provide for the support and maintenance of his child or children, or to fail to comply with terms of a court order requiring him to support his child or children.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 898, 892, 893, 894, 906, 895. To the Committee on Local Legislation.

H. B. 726. To the Committee on Judiciary.

BILLS ON THIRD READING RESUMED

The Bill:

H. 183. To amend Section 34 of Title 61 of the Code of Alabama of 1940, as amended by Act No. 196, General Acts of 1945, page 322, approved June 29, 1945, relative to the time limit for probate of wills.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Owens
Allen	Cooper	Howle	Patterson
Barrett	Fite	Hughes	Patton
Boutwell	Golson	Kendall	Perry
Bridges	Gulledge	Langan	Summerlin
Burnside	Harvey	Lowe	Swift
Cater	Henderson	Mize	Wright

—27

Nays:

—0

The Bill:

H. 790. To confer additional powers upon the Armory Commission of Alabama; to authorize the same to execute and deliver bond with or without surety for the care and safekeeping and

proper account of necessary or desirable supplies and materiel delivered or issued to any public educational school, college or university in the State of Alabama for the operation, conduct and training of any reserve units of the Armed Forces of the United States.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Cooper	Howle	Patterson	
Allen	Fite	Hughes	Patton	
Boutwell	Golson	Kendall	Perry	
Bridges	Gulledge	Lamberth	Quarles	
Burnside	Hardwick	Langan	Summerlin	
Cater	Henderson	Lowe	Swift	
Clayton	Hooton	Mize	Wright	
Coleman				—28

Nays: —0

The Bill:

S. 446. To provide for the approval of plans and specifications and the inspection and supervision of construction by the State Building Commission of new armories built within the State.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the bill, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the approval of plans and specifications and the inspection and supervision of construction by the State Building Commission of new armories built within the State.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever any new armory construction is to be made by the Armory Commission of Alabama out of any State monies without Federal aid, the Armory Commission of Alabama shall submit the plans and specifications for such new construction to the technical and engineering staff of the State Building Commission for technical and engineering approval, and all bids asked for and contracts let shall be under the supervision of said technical and engineering staff in consultation with the Armory Commission, and the technical and engineering staff of the State Building Commission shall inspect, supervise and approve the construction of such armories. Whenever any new armories are to be built by the Armory Commission of Alabama involving the

expenditure of State funds and the expenditure of Federal funds, on the basis of matching of State and Federal funds, the plans and specifications for such new armory construction shall be subject to the technical and engineering approval of the technical and engineering staff of the State Building Commission on behalf of the State and such agencies of the Federal government as may be designated by the proper Federal authority, and the technical and engineering staff of the State Building Commission shall inspect, supervise and approve the construction of such buildings on behalf of the State. Except as otherwise provided in this Section, the Armory Commission of Alabama shall retain and exercise exclusively all of the rights, powers, authority, functions, and duties imposed and entrusted to it by Chapter 2, Title 35, of the Code of Alabama 1940, as heretofore amended.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize	
Allen	Cooper	Howle	Patterson	
Barrett	Fite	Hughes	Patton	
Boutwell	Golson	Kendall	Perry	
Bridges	Gulledge	Lamberth	Quarles	
Burnside	Hardwick	Langan	Summerlin	
Cater	Harvey	Lowe	Wright	
Clayton	Henderson			—29

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Fite	Hughes	Patton	
Barrett	Golson	Kendall	Perry	
Boutwell	Gulledge	Lamberth	Quarles	
Bridges	Hardwick	Langan	Summerlin	
Burnside	Harvey	Lowe	Swift	
Cater	Henderson	Mize	Wright	
Clayton	Hooton			—29

Nays:

—0

The Bill:

S. 444. To repeal Section 191 of Title 13 of the Code of Alabama (1940), which relates to the compensation of special circuit judges.

was taken up.

Mr. Coleman offered the following substitute for the bill, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Title 13, Section 191, Code of Alabama 1940.

Be It Enacted by the Legislature of Alabama:

Section 1. Title 13, Section 191, of the Code of Alabama is hereby amended to read as follows:

Section 191. Compensation of such special circuit judge: Such special circuit judge shall receive as compensation for his services the same compensation as received from all sources by other circuit judges elected in such circuit, and his actual and necessary expenses incurred in connection with the performance of such services, to be paid by the treasurer out of the general fund of the county treasury of the county where such judge presides upon his warrant drawn by such judge, certified to and presented by him to such treasurer.

Section 2. This act shall become effective immediately upon its passage and approval or its otherwise becoming a law.

Which was adopted.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Cooper	Howle	Patterson
Allen	Fite	Hughes	Patton
Barrett	Golson	Kendall	Perry
Boutwell	Gulledge	Lamberth	Quarles
Bridges	Hardwick	Lowe	Summerlin
Burnside	Harvey	Mize	Swift
Cater	Henderson	Owens	Wright
Coleman			

—28

Nay: Mr. Hooton

—1

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Burnside	Golson	Howle
Allen	Cater	Gulledge	Hughes
Barrett	Coleman	Hardwick	Kendall
Boutwell	Cooper	Harvey	Lamberth
Bridges	Fite	Henderson	Langan

Lowe	Patterson	Quarles	Swift	
Mize	Patton	Summerlin	Wright	
Owens	Perry			—29
Nay:	Mr. Hooton			—1

The Bill:

S. 223. To prescribe a procedure and fix the responsibility for maintaining control over the State's personal property and fixing a penalty for neglect of any duty imposed by the Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 30; Nay 1.

Yeas:

Messrs.:	Coleman	Hooton	Patterson	
Allen	Cooper	Howle	Patton	
Barrett	Fite	Hughes	Perry	
Boutwell	Golson	Kendall	Quarles	
Bridges	Gulledge	Langan	Summerlin	
Burnside	Hardwick	Lowe	Swift	
Cater	Harvey	Mize	Wright	
Clayton	Henderson	Owens		—30
Nay:	Mr. Lamberth			—1

The Bill:

S. 327. To amend Section 179 of Title 55 of the Code of Alabama (1940) which relates to expenditures from the Governor's Contingent Fund.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 327

A BILL
TO BE ENTITLED
AN ACT

To amend Section 179 of Title 55 of the Code of Alabama (1940) which relates to expenditures from the Governor's Contingent Fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 179 of Title 55, of the Code of Alabama 1940 is amended to read "The Governor is, at his discretion, authorized to make expenditures from the Governor's Contingent Fund for the food lights, heat, water, service, and servants necessary and incident to the operation of the Governor's mansion, as well as ex-

penditures for public official entertainment incident to his office and for such transportation as may be necessary for the Governor's use.

"For expenses of the Governor's mansion, as set out above, except for repairs, the Governor shall be allowed the sum of \$15,000.00 annually to be drawn upon request of the Governor by the State Comptroller from the Governor's contingent fund, without itemization.

"For the expenses of any official travel, including expenses of operating necessary automobiles, the Governor shall receive an annual expense allowance of \$7,000.00 to be drawn upon request of the Governor by the State Comptroller from the Governor's Contingent Fund.

"For repairs, equipment, care and improvements of the mansion, the Governor is authorized to expend the sum of \$3,000.00 annually to be drawn upon request of the Governor by the State Comptroller from the Governor's Contingent Fund when such obligation has been actually incurred and payment is due as evidenced by a receipt, invoice or bill substantiating the amount of the expenditure.

"No sums in excess of the amounts hereinabove stated shall be spent for the purposes herein set out, unless specifically appropriated by the legislature.

"The Department of Examiners of Public Accounts shall audit the Contingent Fund annually."

Section 2. This Act shall become effective on October 1, 1949.

Which was adopted.

Yeas 24; Nays 3.

Yeas:

Messrs.:	Coleman	Kendall	Patton
Allen	Cooper	Langan	Perry
Barrett	Golson	Lowe	Quarles
Boutwell	Hardwick	Mize	Summerlin
Bridges	Henderson	Owens	Swift
Cater	Hughes	Patterson	Wright
Clayton			

—24

Nays: Messrs. Fite, Howle and Lamberth —3

And said bill, as thus amended, by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 3.

Yeas:

Messrs.:	Boutwell	Clayton	Golson
Allen	Bridges	Coleman	Hardwick
Barrett	Cater	Cooper	Henderson

Hughes
Kendall
Langan

Lowe
Mize
Patterson

Patton
Perry
Quarles

Summerlin
Swift
Wright

—23

Nays: Messrs. Fite, Howle and Lamberth

—3

RECESS

At 12 o'clock Noon in accordance with Joint Resolution heretofore adopted and on motion of Mr. Allen, the Senate retired to the Hall of the House of Representatives for a Joint Session to be addressed by Dr. Seale Harris of Birmingham, Alabama. And on motion of Mr. Allen and upon completion of the Joint Session, the Senate took a recess until 2:00 P. M. this afternoon.

AFTERNOON SESSION

TWENTY-FIFTH LEGISLATIVE DAY

TUESDAY, JULY 26, 1949

The Senate re-assembled at 2:00 P. M., Lieutenant Governor Inzer presiding.

ROLL CALL

Present:

Messrs.:
Allen
Barrett
Boutwell
Bridges
Burnside
Cater
Clayton

Coleman
Cooper
Fite
Golson
Gulledge
Hardwick
Harvey
Henderson

Hooton
Howle
Hughes
Kendall
Lamberth
Langan
Lowe
Mize

Owens
Patterson
Patton
Perry
Quarles
Summerlin
Swift
Wright

—31

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Boutwell:

S. 587. To authorize any and every city which may now or hereafter have a population of two hundred thousand or more inhabitants according to the last or any succeeding federal census to establish from time to time one or more park assessment districts within, or partly within and partly without, the corporate limits thereof and to provide or improve or provide and improve

a public park within the corporate limits of such city in any such park assessment district and to assess all or any part of the cost of providing or improving or providing and improving such public park against all parcels of privately owned land in the park assessment district in which such public park is situated and which have been increased in value by reason of the special benefits derived from the provision or improvement or provision and improvement of such public park; to fix the rank of such assessment liens in relation to other liens; to provide for the collection and enforcement of such liens; to provide for the financing of the cost of providing or improving or providing and improving such public park; and to provide the manner in which such assessments and liens may be used in aid of such financing.

Committee on Local Legislation.

BILLS ON THIRD READING

The Bill:

S. 361. To amend Section 105 of Title 55 of the Code of Alabama (1940), which relates to the use of emergency appropriations.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 361

A BILL TO BE ENTITLED AN ACT

To amend Section 105 of Title 55 of the Code of Alabama (1940), which relates to the use of emergency appropriations.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 105 of Title 55 of the Code of Alabama (1940) is amended to read:

"To the end that all expenses of the state may be brought and kept within the budget, the budget appropriation bills shall contain a specific sum or sums as an emergency appropriation or appropriations. Such sum shall not, however, exceed two percent of the total amount appropriated by such bill. The manner of allotment of such emergency appropriation shall be as follows: Any department, board, bureau, commission, agency, office or institution of the state or any person or persons in charge of any activity in which the state is interested, desiring an allotment out of such appropriation, shall present such request in writing to the department of finance with such information as it may require, and such request shall be handled and allotments may

be made pursuant thereto as in the case of regular allotments. Such allotments shall be made only for any purpose authorized by law for which no specific appropriation has been made or for which inadvertently an insufficient appropriation has been made.

"In no event shall any sum or sums be transferred from the emergency appropriation or fund to any other appropriation or fund, but such sum or sums shall only be allotted for a specific purpose. Allotments from the emergency appropriation or fund for the employment of clerks as provided in Section 175 of Title 55 of the Code of Alabama (1940), for the employment of investigators as provided in Section 260 of Title 29 of the Code of Alabama (1940), for the employment of additional peace officers as provided in Section 377 of Title 55 of the Code of Alabama (1940), for the repair, upkeep, lights, heat, water, service, servants, and other expenses incident to the operation of the Governor's mansion, for public or official entertainment incident to the office of Governor, for traveling expenses of the Governor or other persons designated by him to travel, and for salaries, supplies, materials, equipment, postage, telephone, telegraph and other expenses incident to the operation of the Governor's office shall not exceed \$2,500 in all in any fiscal year."

Section 2. This Act shall become effective October 1, 1949.

Which was adopted.

Yeas 23; Nays 5.

Yeas:

Messrs.:	Clayton	Hooton	Patterson
Allen	Coleman	Hughes	Patton
Barrett	Cooper	Kendall	Perry
Boutwell	Golson	Langan	Quarles
Bridges	Gulledge	Lowe	Summerlin
Cater	Henderson	Mize	Wright

—23

Nays:

Messrs.:	Hardwick	Howle	Lamberth
Fite	Harvey		

—5

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 6.

Yeas:

Messrs.:	Cater	Henderson	Patton
Allen	Clayton	Hughes	Perry
Barrett	Coleman	Kendall	Quarles
Boutwell	Cooper	Lowe	Summerlin
Bridges	Golson	Mize	Swift
Burnside	Gulledge	Patterson	Wright

—23

Nays:

Messrs.:	Hardwick	Howle	Langan	
Fite	Harvey	Lamberth		—6

The Bill:

S. 466. To repeal Section 377 of Title 55 of the Code of Alabama (1940), which relates to the employment by the Governor of special peace officers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 5.

Yeas:

Messrs.:	Coleman	Kendall	Patton	
Allen	Gulledge	Langan	Quarles	
Boutwell	Hardwick	Lowe	Summerlin	
Bridges	Henderson	Mize	Swift	
Cater	Hooton	Patterson	Wright	
Clayton	Hughes			—21

Nays:

Messrs.:	Fite	Howle	Lamberth	
Barrett	Harvey			—5

The Bill:

S. 382. To amend Sections 246 and 251 of Title 29 of the Code of Alabama (1940), which relate to the distribution of the proceeds of sales of contraband property.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the bill, to-wit:

COMMITTEE SUBSTITUTE FOR SENATE BILL 382

A BILL TO BE ENTITLED AN ACT

To amend Sections 246 and 251 of Title 29 of the Code of Alabama (1940), which relate to the distribution of the proceeds of sales of contraband property.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 246 and 251 of Title 29 of the Code of Alabama (1940) are amended to read as follows:

“Section 246. The property may be ordered sold and the proceeds, after paying the costs and expenses of the seizure and of the suit and after paying out of the proceeds the sum of fifty

(\$50.00) dollars to the sheriff or officer or other person who secured the seizure and whose efforts resulted in obtaining the decree of condemnation, shall be paid into the state general fund.

"Section 251. The proceeds of the sale of any such property forfeited to the state, whether sold by court decree or by an officer under advertisement, shall, after paying all expenses in the cause, and of advertisement, as the case may be, including the costs of seizure and of keeping the property pending the proceedings, be applied as follows: One-half shall be paid into the general fund of the county in which the property is seized, and the other one-half shall be paid into the general fund of the state; but provided however, that when such property shall be seized by an officer of a municipality one-half thereof shall be paid into the General Fund of the municipality, one-quarter thereof shall be paid into the General Fund of the County, and the other one-quarter shall be paid into the State General Fund.

Section 2. This Act shall become effective October 1, 1949.

Which was adopted.

Yeas 22; Nays 4.

Yeas:

Messrs.:	Clayton	Kendall	Perry	
Allen	Coleman	Langan	Quarles	
Barrett	Gulledge	Lowe	Summerlin	
Bridges	Henderson	Mize	Swift	
Burnside	Hooton	Owens	Wright	
Cater	Hughes	Patterson		—22

Nays:

Messrs.:	Harvey	Howle	Lamberth	
Fite				—4

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 4.

Yeas:

Messrs.:	Clayton	Hooton	Patterson	
Allen	Coleman	Hughes	Perry	
Barrett	Cooper	Kendall	Quarles	
Bridges	Gulledge	Lowe	Summerlin	
Burnside	Hardwick	Mize	Swift	
Cater	Henderson	Owens	Wright	—23

Nays:

Messrs.:	Harvey	Howle	Lamberth	
Fite				—4

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Langan, further consideration of the bills, S. B.'s 346, 343, 344, and 345, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 442. To create a Division of Publicity and Information; defining its powers and duties; providing for a Director of the Division and his selection, qualifications, compensation, and removal; transferring to the Division the funds, papers, documents, files, materials, equipment, supplies, and other effects of the Division of Records and Reports; abolishing the Division of Records and Reports; and repealing Act No. 253, H. 242, approved June 24, 1943 (General Acts of Alabama, 1943, page 223).

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 442

A BILL
TO BE ENTITLED
AN ACT

To create a Division of Publicity and Information; defining its powers and duties; providing for a Director of the Division and his selection, qualifications, compensation, and removal; transferring to the Division the funds, papers, documents, files, materials, equipment, supplies, and other effects of the Division of Records and Reports; abolishing the Division of Records and Reports; and repealing Act No. 253, H. 242, approved June 24, 1943 (General Acts of Alabama, 1943, page 223).

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a Division of Publicity and Information to function under the general supervision of the State Planning Board.

Section 2. The Division shall be in charge of a Director of Publicity and Information, who shall be appointed by the Director of the State Planning Board, subject to the provisions of the Merit System.

Section 3. The Director of Publicity and Information shall be selected with special reference to his training, experience and capacity. He shall have had not less than five years experience as a newspaper reporter or editor and such other qualifications as may be fixed by the State Personnel Board. It is provided, however, that the Director shall have been employed full time

as a newspaper reporter or editor within six months prior to the passage of this Act. The Director shall devote his entire time to the duties of his office.

Section 4. The offices of the Division of Publicity and Information shall be located at the State capital and be kept open at all reasonable times.

Section 5. The Director shall receive an annual salary to be fixed by the State Personnel Board not to exceed five thousand four hundred dollars (\$5,400).

Section 6. Subject to the provisions of the Merit System Act, the Director shall appoint such subordinate employees and assistants as may be necessary to the efficient operation of the Division. He shall fix their compensation in accordance with the Merit System and the pay plan of the State Personnel Department.

Section 7. The Division shall render a reporting and information service for the State by preparing news releases and articles for weekly and daily newspapers, news services, radio stations, and such other publications and agencies as may request such service. The Division shall also provide information and material for use in the public schools and for public distribution upon request.

Section 8. Each department, board, commission, institution, agency, and office of the State shall furnish annually a report of its activities to the Division. The Division may require of state departments, boards, commissions, institutions, agencies, and offices such additional and supplementary reports as may be necessary for adequate reporting of the State's activities.

Section 9. The Division of Publicity and Information shall have and exercise all the powers and duties of the Division of Records and Reports. The funds, papers, documents, files, materials, equipment, supplies, and other effects, except personnel, of the Division of Records and Reports are transferred to the Division of Publicity and Information. The Division of Records and Reports is hereby abolished.

Section 10. The Director of the Division of Publicity and Information shall not engage in any political activity whatsoever, and none of the releases, articles, information, or material prepared by the Division shall be of a partisan or political nature or designed as propaganda for or against any political issue, group, or personality. The State Personnel Board and the State Personnel Department are hereby specifically charged with the duty of supervising the activities and publications of the Division to ascertain whether they are contrary to the provisions of this Section. If in the opinion of the State Personnel Board the Director engages in political activity contrary to the provisions of this Act or if the publications or activities of the Division are contrary hereto the Board shall remove the Director from office, provided, however, that this shall not be construed to mean that the appointing au-

thority herein named is relieved of any of his responsibilities under the merit system as an appointing authority, nor is the director of the Division of Publicity and Information deprived of any of the rights of appeal granted him under the merit system Act.

Section 11. All the salaries and expenses of the Division of Publicity and Information shall be paid out of the annual appropriation made to it for that purpose by the Legislature.

Section 12. Act No. 253, H. 242, approved June 24, 1943 (General Acts of Alabama, 1943, page 223), entitled "An Act To create and establish a Division of Records and Reports in the office of the Governor; to prescribe its functions, duties, and powers; to provide for annual reports by certain State agencies and for the manner of issuance and distribution thereof; and to make an appropriation for the maintenance and support of the Division of Records and Reports" is hereby repealed.

Section 13. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. This Act shall become effective October 1, 1949; but the State Personnel Department shall set up a register of persons eligible for the position of Director of Publicity and Information immediately after the passage of the Act, and no provisional or temporary appointments shall be made under it.

Which was adopted.

Yeas 18; Nays 11.

Yeas:

Messrs.:	Clayton	Henderson	Mize	
Allen	Coleman	Hooton	Quarles	
Boutwell	Cooper	Hughes	Swift	
Burnside	Gulledge	Kendall	Wright	
Cater	Hardwick	Lowe		—18

Nays:

Messrs.:	Fite	Lamberth	Patterson	
Barrett	Harvey	Langan	Perry	
Bridges	Howle	Owens	Summerlin	—11

PAIR ANNOUNCED

Mr. Golson announced that he was paired with Mr. Glover on this vote; that Mr. Glover, if present, would vote "nay" and he, Mr. Golson, would vote "aye".

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

By Messrs. Miller and Roberts:

H. 736. To prohibit the probate judge in all counties having a population of not less than 67,500 and not more than 75,000 from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit; and repealing conflicting laws.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

By Mr. Beck:

H. 859. To authorize the governing body of DeKalb County, Alabama to impose an excise tax on persons, corporations, co-partnerships, companies, agencies, and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 88. To amend Section 10 of Title 20, Code of Alabama (1940), which relates to the regulation of sales of merchandise in bulk.

Also:

H. 742. To propose an amendment to the Constitution of Alabama to prohibit the municipality of Phenix City from granting any franchise to a public utility for a period of more than thirty years.

Also:

H. 823. To amend Section 4 of Act No. 101, H. 498, approved October 19, 1932 (Local Acts, Extra Session 1932, p. 45), entitled, "An Act to provide for the election of a County Superintendent of Education for Shelby County, Alabama, by the qualified voters of said County; to provide the duties and fix the term of office and compensation and qualifications of such officer, and to provide for the selection and expenses of clerical help for said office and other expenses incident thereto."

Also:

H. 829. To authorize and empower the Circuit Clerk of Autauga County, Alabama, to appoint a Deputy Clerk, and to fix the salary and to provide the method of payment of salary.

Also:

H. 834. To enlarge the corporate limits of the City of Florence, Lauderdale County, Alabama.

Also:

H. 836. To provide for the City of Sheffield a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, fire department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violations.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in session, has carefully examined the Journals of the Senate for the twenty-third and twenty-fourth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

V. S. SUMMERLIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. Summerlin, the foregoing report was concurred in and the Journals of the Senate for the twenty-third and twenty-fourth Legislative Days approved by the Senate.

ADJOURNMENT

At 3:40 P. M. on motion of Mr. Lowe and pending further consideration of S. B. 442, as amended by the substitute, the Senate adjourned until Friday, July 29, 1949, at 9:00 A. M.

Yeas 15; Nays 14.

Yeas:

Messrs.:	Golson	Howle	Lowe	
Cater	Hardwick	Hughes	Quarles	
Coleman	Harvey	Kendall	Swift	
Fite	Henderson	Lamberth	Wright	—15

Nays:

Messrs.:	Bridges	Hooton	Patterson	
Allen	Burnside	Langan	Perry	
Barrett	Cooper	Mize	Summerlin	—14
Boutwell	Gulliedge	Owens		

TWENTY-SIXTH LEGISLATIVE DAY

FRIDAY, JULY 29, 1949

The Senate met pursuant to adjournment, Lieutenant Governor Inzer presiding.

PRAYER

The session was opened with prayer by Rev. Thomas R. Thrasher, Rector, Church of the Ascension, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Fite	Howle	Owens
Allen	Gaither	Hughes	Patterson
Boutwell	Golson	Kendall	Patton
Bridges	Gulledge	Kimbrell	Perry
Burnside	Hardwick	Lamberth	Russell
Cater	Harvey	Langan	Summerlin
Clayton	Henderson	Lowe	Swift
Coleman	Hooton	Mize	Wright

—31

On motion of Mr. Boutwell, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Mize, leave of absence was granted Mr. Barrett for today.

On motion of Mr. Patton, leave of absence was granted Mr. Quarles for today.

On motion of Mr. Patton, leave of absence was granted Mr. Glover for today.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 506. To alter and rearrange the boundaries of the Town of Cottonwood, Houston County, Alabama.

Also:

S. 508. To make an appropriation out of the general fund of Tuscaloosa County for the relief of Kathleen Matthews, an em-

ployee of Tuscaloosa County, who was injured while performing her duties.

Also:

S. 509. To authorize the Circuit Clerk of Conecuh County, Alabama, to employ and prescribe the duties of a Secretarial Assistant; to provide a salary for such assistant; to provide how the same is to be paid.

Also:

S. 524. To amend Sections 3, 18 and 27 of an Act approved August 7, 1947, Page 196 of Local Acts of Alabama, known as Civil Service Act of Dothan, Alabama.

Also:

S. 525. To amend Section 3 of an act approved May 19, 1945 entitled "To fix the compensation or salary to be paid the Tax Collector of Houston County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistants, and other expenses in said office of the Tax Collector of Houston County, Alabama, and to require said Tax Collector to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay the same into the county treasury of Houston County; to provide for the payment of the salary or compensation of said Tax Collector of Houston County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Houston County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of said Tax Collector to prohibit rebates of compensation allowed for clerks, deputies and clerical assistants and to provide the punishment therefor, and to prescribe when this act shall go into effect.

Also:

S. 528. Relating to the salaries of the officers of the Juvenile and Court of Domestic Relations—Montgomery County, Alabama, to fix the salary of the Clerk of the Juvenile and Court of Domestic Relations—Montgomery County Alabama, and to fix the maximum amount of the respective salaries to be received by the Probation Officers of said Juvenile and Court of Domestic Relations—Montgomery County, Alabama.

Also:

S. 529. To provide for the appointment of a Clerk of the Montgomery County Board of Revenue; to prescribe his duties; to authorize the Montgomery County Board of Revenue to fix his

compensation, the same to be payable out of the general fund of the county; and to provide for his official bond.

R. G. KENDALL,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolution with the original Senate Joint Resolution and finds same correctly enrolled, to-wit:

S. J. R. 9. Relative to: Memorialize the Congress, the President, and the Secretary of Defense of the United States in protest against all proposals for Federalization of the National Guard.

R. G. KENDALL,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after it's title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 183. To amend Section 34 of Title 61 of the Code of Alabama of 1940, as amended by Act No. 196, General Acts of 1945, page 322, approved June 29, 1945, relative to the time limit for probate of wills.

Also:

H. 736. To prohibit the probate judge in all counties having a population of not less than 67,500 and not more than 75,000 from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit; and repealing conflicting laws.

Also:

H. 790. To confer additional powers upon the Armory Commission of Alabama; to authorize the same to execute and deliver bond with or without surety for the care and safekeeping and proper account of necessary or desirable supplies and materiel delivered or issued to any public educational school, college or university in the State of Alabama for the operation, conduct and training of any reserve units of the Armed Forces of the United States.

Also:

H. 859. To authorize the governing body of DeKalb County, Alabama to impose an excise tax on persons, corporations, co-partnerships, companies, agencies, and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MOTION TO AMEND SENATE RULE 1 POSTPONED

On motion of Mr. Allen, further consideration of the motion of Messrs. Allen and Kendall to amend Senate Rule 1 was postponed until the next Legislative Day.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Allen, Langan and Boutwell:

S. B. 588. To provide further for distributing the profits of state liquor stores; appropriating one million dollars of profits in excess of two million two hundred thousand dollars for each of the calendar years 1950 and 1951, to the State Board of Health for matching federal funds under the Hill-Burton Act.

Committee on Finance and Taxation.

By Mr. Owens:

S. B. 589. To make appropriations to the Division of State Parks, Monuments and Historical Sites of the Department of Conservation to be used for the development of Little Mountain State Park, additions and betterments thereto, and for the purchase of recreational equipment, motor equipment, office equipment and other equipment for Little Mountain State Park.

Committee on Finance and Taxation.

By Mr. Patterson:

S. B. 590. To amend Section 342 of Title 37 of the Code of Alabama (1940) which relates to the powers of municipalities in regard to the acquisition of public improvements, as amended by An Act approved June 14, 1949.

Committee on Municipalities and Municipal Organizations.

By Mr. Langan:

S. B. 591. For the relief of Mrs. Ruth Kersh: Appropriating the sum of one thousand dollars to Mrs. Ruth Kersh as compensation for the death of her husband who died as the result of injuries received during the course of his employment by the State Highway Department.

Committee on Finance and Taxation.

By Mr. Hooton:

S. B. 592. To amend Article II, Title 13, Sections 31, 32 and 33 of the Code of Alabama of 1940, as amended, to provide supernumerary judges for courts of record; to prescribe their tenure, duties, powers, fix their compensation and the method of payment, and to prescribe the terms and conditions under which members of the Supreme Court and the Court of Appeals may become such and to amend Acts Nos. 243 and 244 of the Regular Session of the 1949 Legislature.

Committee on Judiciary.

By Mr. Cater:

S. B. 593. Relating to insurers not authorized to transact business in this state; providing for actions in this state against and for the service of process upon such insurers; and prescribing how a defense may be made by such insurers.

Committee on Judiciary.

By Messrs. Patterson and Henderson:

S. B. 594. To amend Sections 1 and 12 of Act 515, approved July 9, 1945, as amended by Act 606, approved October 13, 1947, which establishes a State Employees' Retirement System.

Committee on Finance and Taxation.

By Mr. Lowe:

S. B. 595. Relating to highways: Further regulating the use of state funds for highway purposes.

Committee on Finance and Taxation.

By Mr. Lowe:

S. B. 596. Relating to highways: prohibiting further state-financed highway construction projects until a sum sufficient to secure federal aid has been first set aside.

Committee on Finance and Taxation.

By Messrs. Harvey and Clayton:

S. B. 597. To provide additional compensation for the Secretary of the Senate and the Clerk of the House for the performance of the new, extra, and additional duties imposed upon them by Act No. 27, S. B. 30, approved May 31, 1949.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. O'Neal and Mitchell:

H. 453. To authorize and create an additional judge of the Ninth Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, to provide for the designation of each of the two offices of Circuit Judge of said circuit by number and to provide for the salary of said judge.

By Messrs. Patterson and Mize:

S. 554. To amend Section 4 of Act 515, General Acts of 1945, p. 734.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gibson (with amendment):

H. 451. To amend Section 154 of Title 41 of the Code of Alabama 1940, as amended by Act No. 238, General Acts of Alabama, regular session 1943, page 195, approved June 22, 1943, to provide for expenses per day and traveling expenses.

Mr. Patton, Chairman of the Standing Committee on Corporations reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Merrill:

H. 808. To amend Title 10, Section 70 (7) of the Alabama Code of 1940 relating to directors' and stockholders' meetings of corporations within and without the State; authorizing and prescribing the condition upon which such meetings may be held; and requiring corporations holding such meetings without the State to designate an agent within the State, and for service upon him, and to file with such designated agent copies of the proceedings of such meetings held without the State.

Mr. Patterson, Chairman of the Standing Committee on Education reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Miller and White (Covington):

H. 865. To amend Chapter 13, Section 351, Title 52 of the Code of Alabama of 1940, which relates to tenure of employment of teachers.

Mr. Wright, Chairman of the Standing Committee on Public Health reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gullledge:

S. 462. Recognizing alcoholism as an illness and a public health problem; creating The Alabama Commission on Alcoholism and providing for appointment of its members, its organization, compensation, duties, powers, management, and employed personnel; defining terms; providing for methods and procedures for voluntary and involuntary committal and detention of alcoholics for treatment and rehabilitation and their discharge; providing for assessment of costs of commitment and support; providing for an appropriation to the Commission; declaring the unauthorized delivery of alcoholic beverages to persons under care and custody of the Commission to be a misdemeanor and fixing the punishment therefor.

Mr. Wright, Chairman of the Standing Committee on Public Health reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McIlwain and Taylor (Autauga) (with amendment):

H. 635. Relating to public health; to regulate, through licensure, hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act.

Mr. Wright, Chairman of the Standing Committee on Public Health reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gullede (without recommendation):

S. 471. To provide further for the registration of births; and prescribing penalties for violations of the Act.

Mr. Bridges, Chairman of the Standing Committee on Forestry and Conservation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clayton:

S. 581. To amend Section 9 of an act entitled "An Act to provide for the Office of Land Agent within the Department of Conservation and to define the Departments powers and duties with respect to lands owned by the State of Alabama or any department or institution thereof; to provide that each State department or institution of the State of Alabama owning, controlling or managing any State or departmental lands shall file with the Department of Conservation a list of lands which it owns or in which any interest is claimed, to define the meaning of the terms 'used Lands' and 'unused land'; to provide that such list shall describe such lands by numbering or other adequate description and classify the same as 'used land' or 'unused land', the manner in which title to the lands was acquired, the character of title and the use for which such lands are chiefly valuable, and the use to which said lands is being put; to provide for the preservation of such list; to provide for the compilation of a record of the ownership of all lands held in trust by any institution or department of the State of Alabama; to provide for the mapping, surveying, cruising, developing, and disposal of lands; to provide for the filing of a copy of all instruments by which the State or any institution disposes of or acquires lands; to provide for the recordation on county records of the State's ownership of lands; to provide for the disposition of any revenue from unused lands; to provide funds for administering this act.", approved July 9, 1945.

Mr. Fite, Vice-Chairman of the Standing Committee on Judiciary reported that said Committee in Session had acted on

the following bills and ordered same returned to the Senate with a favorable report and they were severally read a second time and placed on the calendar to-wit:

By Mr. Lovelace:

H. 696. To amend Section 14, Title 1, Code of Alabama 1940, which relates to Re-Classification date based on Federal Census.

By Mr. Ingalls:

H. 306. To amend Section 1036 of Title 7 of the Code of Alabama (1940) relating to the requirement of assent of a state official garnished.

By Mr. Ingalls:

H. 307. To amend Section 1035 of Title 7 of the Code of Alabama (1940) relating to garnishment of salaries of public officials or employees.

Mr. Fite, Vice-Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Howell (with amendment):

H. 373. To regulate trafficking in dogs: To provide for licensing persons, other than duly licensed pet shops and kennels, engaged in the business of selling or trading dogs; to require such persons to give certain information to the purchaser of dogs; and to provide a penalty for violation of the Act.

By Messrs. Duffee, Sellers, Harris, Head and Wood (Bibb) (with amendment):

H. 355. To amend Section 789 of Title 51, Article 11, Chapter 20, Code of Alabama 1940, as amended by Act No. 475, approved July 10, 1943, (1943 General Acts of Alabama, Page 439); and as further amended by Act No. 304, approved August 13, 1947, (1947 General Acts of Alabama, Page 158).

Mr. Fite, Vice-Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dumas (with substitute):

H. 67. To prevent, otherwise than as authorized by this Act the accumulation of income from property, real or personal, or both, in a trust or estate including such property, and to repeal conflicting law, including Title 47, Section 146 of the Alabama Code of 1940.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Barnett:

H. 82. To supplement, expand, and amend the Workmen's Compensation Act of Alabama; to provide compensation for injured and diseased workmen; and without limiting the comprehensiveness and generality of the foregoing, To supplement Chapter 5, Title 26, Code of Alabama 1940, as amended, known as the Workmen's Compensation Act of Alabama, by adding thereto the following to be designated as Article 2A of said chapter and prescribing the liability of an employer to make compensation by way of damages for the disease of occupational pneumoconiosis contracted by an employee and which is peculiar to and arises out of and in the course of his employment; declaring said disease of pneumoconiosis so contracted as an occupational disease which is to be regarded as an accident without regard to negligence of the employer and providing for the enforcement of such liability, modifying common law and statutory remedies in such cases, regulating procedure for determination of such liability and the compensation payable, prescribing penalties for violation thereof, providing for attorneys fees and for medical and surgical services, and providing a period of limitation for filing suits on claims for disability or death from pneumoconiosis.

By Messrs. Wood (Bibb) and Inzer:

H. 379. To amend Section 24, Title 42 of the 1940 Code of Alabama.

Mr. Cater, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Kendall, Quarles, Coleman, Hughes, Golson, Patterson, Gullledge, Hooton, Glover, Cater, Wright, Bridges, Barrett, Boutwell, Perry, Gaither, Harvey, Summerlin, Cooper, Henderson, Burnside, Owens and Clayton and Swift:

S. 252. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

By Messrs. Gullledge and Henderson:

S. 250. Proposing an amendment to Section 106 of Article IV of the Constitution of Alabama, which relates to publishing notice of the intention to apply for the enactment of special, private, or local laws.

By Messrs. Beck and Merrill:

H. 873. 'To propose and to provide for the submission of an amendment to the constitution of Alabama, which will be applicable to all counties except Mobile and Jefferson Counties, making further provisions respecting the use of the proceeds of special county taxes hereafter or heretofore voted for hospital purposes pursuant to any amendment to the constitution heretofore adopted, and authorizing the issuance by such counties and by public corporations therein of securities which shall not constitute bonds within the meaning of Section 222 of the constitution or debts within the meaning of Section 224 of the constitution.

The above bill was read a second time at length as required by the Constitution.

By Messrs. Benford and Buckner:

H. 719. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one senator from each county; ordering an election upon the proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

The above Bills were read a second time at length, as required by the Constitution.

Mr. Cater, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate without recommendation, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Summerlin (without recommendation):

S. 417. Proposing an amendment to the Constitution of Alabama: To provide an additional method of amending the Constitution; ordering an election upon the proposed amendment to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

By Messrs. Gullledge and Owens (without recommendation):

S. 424. Proposing an amendment to the Constitution relating to sessions of the Legislature, and ordering an election thereon.

The above Bills were read a second time at length, as required by the Constitution.

Mr. Cater, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Kendall, Lamberth, Hardwick and Burnside (with substitute) (without recommendation):

S. 552. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection and construction of hospitals within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest bearing bonds in the amount not to exceed \$5,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday, after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

The above Bill was read a second time at length, as required by the Constitution.

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Ingalls, Busby, Pinkston and Sighler (with notice and proof):

H. 906. To fix the compensation or salary to be paid the tax assessor of Montgomery County, Alabama, and to regulate the payment of same, to provide for the selection of clerical help and other assistance to said officer and the manner of fixing their compensation and paying the same, and to provide rules and regulations for the payment and conduct of such officer; and to require said officer to pay into the county treasury of said county all costs, charges of court, fees and commissions authorized by law to be collected by said officer as other monies belonging to said county are paid, except any salary, fees or commissions paid said officer for assessing or collecting taxes for any municipality.

By Mr. Cater (with notice and proof):

S. 582. To fix the compensation of the Judge of Probate of Montgomery County, Alabama, and to regulate the payment of same, and to provide for clerical help and other assistance to said Judge of Probate, and the fixing of their compensation and paying the same, and to provide for ex-officio services and for

other contingencies of said Judge of Probate, and to provide for an ex-officio clerk of the Board of Registrars, and to require the Judge of Probate to pay into the County Treasury of said County all costs and charges of Courts, fees and commissions authorized by law to be collected by said Judge of Probate as other moneys belonging to said county are paid.

By Mr. Kendall (with notice and proof):

S. 579. Relating to Conecuh County: To fix the compensation of members of the County Board of Education.

By Mr. Mize (with notice and proof):

S. 584. To amend Section 612 of Title 62 of the Code of Alabama (1940), which relates to the salaries of members of the Commission Board of the City of Tuscaloosa, Alabama.

By Mr. Mize (with notice and proof):

S. 585. To amend Sections 2 and 9 of Act No. 228, H. 707, approved August 3, 1927 (Local Acts of Alabama, 1927, page 130) entitled "An Act To establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix, and define his duties and compensation; to establish methods of procedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualification and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court."

By Mr. Mize (with notice and proof):

S. 586. To amend Section 1 of Act No. 73, H. 190, approved March 31, 1936 (Local Acts of Alabama, 1936 Extra Session, page 41) entitled "An Act to fix the compensation or salary to be paid the Clerk of the Circuit Court of Tuscaloosa County, Alabama, and to regulate the payment of the same: to provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Clerk of the Circuit Court of Tuscaloosa County, Alabama, and to require said Clerk of the Circuit

Court to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay same into the county treasury of Tuscaloosa County, provided, however, that all witness fees, judgments and amounts collected by him, in civil and criminal cases, from whatsoever source, except fees, allowances, legal charges, costs and compensation payable to him as such clerk, shall be retained in the hands of said Clerk to be paid out and disbursed by him to proper persons or parties in the manner now or hereafter required by law; to provide for the payment of the salary or compensation of said Clerk of the Circuit Court of Tuscaloosa County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the conducting and operation of such office made necessary by changing the method and basis of compensation of such Clerk of the Circuit Court of Tuscaloosa County, and to prescribe when this act shall go into effect."

By Mr. Boutwell:

S. 587. To authorize any and every city which may now or hereafter have a population of two hundred thousand or more inhabitants according to the last or any succeeding federal census to establish from time to time one or more park assessment districts within, or partly within and partly without, the corporate limits thereof and to provide or improve or provide and improve a public park within the corporate limits of such city in any such park assessment district and to assess all or any part of the cost of providing or improving or providing and improving such public park against all parcels of privately owned land in the park assessment district in which such public park is situated and which have been increased in value by reason of the special benefits derived from the provision or improvement or provision and improvement of such public park; to fix the rank of such assessment liens in relation to other liens; to provide for the collection and enforcement of such liens; to provide for the financing of the cost of providing or improving or providing and improving such public park; and to provide the manner in which such assessments and liens may be used in aid of such financing.

By Mr. Malone (with notice and proof):

H. 898. To establish a four member Board of Revenue for Houston County, Alabama; to fix the salaries of members of said Board, manner of payment, term of office and time of election of members thereof and to provide all their duties under said act, including their additional duties; to divide said county into four districts and to provide the effective date therefor; to provide for the election of their successors in office, and the duties of the Judge of Probate with reference to said Board; to employ, discharge and fix the salary of the Road and Bridge Foreman; to provide that the Road and Bridge Foreman shall with the ap-

proval of the Board of Revenue employ and fix the compensation of agents, his assistants, overseers, workmen and laborers required for said work, and shall with the counsel, assistance and approval of said Board of Revenue purchase all necessary road material, machinery, teams, tools, supplies and equipment; to repeal all laws in conflict herewith and to fix qualifications of members of the Board of Revenue.

By Mr. McClendon (with notice and proof):

H. 895. Abolishing the fine and forfeiture fund of Chambers County: providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

By Messrs. Miller and Roberts (with notice and proof):

H. 894. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

By Messrs. Miller and Roberts (with notice and proof):

H. 893. To alter or re-arrange the boundary lines of the City of Attalla, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

By Messrs. Miller and Roberts:

H. 892. To amend Section 68 of Title 52 of the Code of Alabama (1940), which relates to the compensation of members of the county board of education.

By Mr. Denton (with notice and proof):

H. 890. To amend Section 1 of an Act entitled "To prescribe the salary and amount of payment of the same of the Chief Deputy Sheriff of Blount County," approved June 3, 1943.

By Mr. Denton (with notice and proof):

H. 888. To amend Section 1 of an Act entitled "To allow the Sheriff of Blount County, Alabama, an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy Sheriff and to make the same payable out of the general fund of Blount County in monthly installments," approved September 6, 1935.

By Mr. Brannan (with notice and proof):

H. 831. To extend the boundary lines of the Town of Daphne, in Baldwin County, Alabama, so as to include in the territory of the said corporation of the Town of Daphne, in addition to the

territory now embraced therein, the following described lands, to-wit: Beginning at the Northeast corner of Section 17, Township 5 South, Range 2 East, Baldwin County, Alabama, run thence South along the East line of Sections 17 and 20 to the Southeast corner of Section 20, Township 5 South, Range 2 East, thence West to the half section post on the South line of Section 20, being the Southeast corner of the present corporate limits of the Town of Daphne, thence North along the center line of said Sections 20 and 17, which is the East boundary line of the corporate limits of the Town of Daphne, to the half section post on the North line of said Section 17, which is the Northeast corner of the corporate limits of the Town of Daphne, thence East along North line of said Section 17, to the point of beginning, the lands added to the corporate limits of the Town of Daphne by this Act being the East half of Section 17 and the East half of Section 20, Township 5 South, Range 2 East, Baldwin County, Alabama.

By Mr. Brannan (with notice and proof):

H. 832. For the relief of E. F. Stuart by the payment to him of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for damages to the said E. F. Stuart, on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said E. F. Stuart has no recourse at law.

By Mr. Brannan (with notice and proof):

H. 833. For the relief of Lloyd Martin by the payment to him of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for damages to the said Lloyd Martin, on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Lloyd Martin has no recourse at law.

By Messrs. Mathison and Knight (with notice and proof):

H. 839. To provide for the designation and appointment by the Court of County Commissioners of one or more banks as depository for the county funds of Henry County, to prescribe the time and method of selection of said depository or depositories, and to provide for security of said county funds to be given by said bank or banks.

By Messrs. Johnston, Stone and Sullivan (with notice and proof):

H. 840. To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include

the rural and municipal areas of the County not now being served by the Mobile Public Library.

By Messrs. Sullivan and Johnston (with notice and proof):

H. 841. To authorize the Board of Revenue and Road Commissioners of Mobile County, Alabama, to purchase such uniforms as said Board of Revenue and Road Commissioners may deem necessary for the use of the uniformed personnel, deputies and other employees of the Sheriff of Mobile County, Alabama, or the Sheriff's Department of Mobile County, Alabama.

By Messrs. Meeks, Beatty, Ingalls and Stone:

H. 857. To provide that whenever a sentence is suspended and the defendant released on probation in the Juvenile and Domestic Relations Courts or any Courts of the same or similar jurisdiction in any county having a population of more than one hundred thousand (100,000) inhabitants according to the last or any succeeding Federal Census, under such terms and conditions of such Courts as to require the defendant to pay money to the Clerk or Register of such Courts, a writ of garnishment may be issued by the Clerk or Register of such Courts under the rules and regulations prevailing in Circuit Courts in action at law.

By Messrs. Johnston, Sullivan and Stone:

H. 870. To repeal an Act entitled an Act, to authorize and empower the governing body of all counties in this State, having a population of not less than 140,000 nor more than 400,000, to levy and collect an excise tax on cigarettes, prescribe the rate thereof; to authorize the governing body of such counties to prescribe the method and provide for the collection of such tax, and to provide for the disposition of revenues derived therefrom, being Act No. 413 of the 1943 session of the Legislature of Alabama, approved July 8, 1943, General Acts of Alabama, 1943, page 378.

By Messrs. Miller and Roberts (with notice and proof):

H. 883. Relating to Etowah County: Authorizing and requiring the governing body of Etowah County to provide equipment, supplies, clerks, deputies and other assistants for certain county officers and offices; providing that such county officials shall select, fix the compensation of, and have the right to discharge their respective clerks, deputies and assistants; providing that the maximum amount of the combined salaries of clerks, deputies and assistants in each of such offices shall be determined by the county governing body; and providing that the salaries and compensation provided under the provisions hereof shall be in lieu of all other compensation.

By Mr. Inzer:

H. 887. To propose an amendment to the Constitution relating to the levy and collection of a special property tax for public school purposes in St. Clair County.

The above bill was read a second time at length as required by the Constitution.

By Mr. Denton (with notice and proof):

H. 889. To amend Section 1 of an Act entitled "To prescribe the salary and the amount of payment of the jailer of Blount County," approved June 3, 1943.

By Mr. Brannan (with notice and proof):

H. 830. To authorize the governing body of Baldwin County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for enforcement of this act and fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of the said tax.

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cater (with substitute):

S. 550. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department, in all counties in this State which may now have or which hereafter have a population of 110,000 people and less than 130,000 people according to the last Federal Census or any census which may hereafter be taken.

RESOLUTION

Messrs. Owens and Patterson offered the following Senate Joint Resolution, to-wit:

S. J. R. 57. WHEREAS, Hon. Virgil Bouldin passed on July 28, 1949, being a native of Jackson County, Alabama, and having been more than a quarter of a century a Judge of the Supreme Court, at the age of 82 and,

WHEREAS, he had a distinguished and outstanding career as a public servant having served the State as a legislator, member of the Democratic Executive Committee, soldier in the Spanish American War, and as a Judge of the Supreme Court of Alabama, and

WHEREAS, he was during his long and useful life, devoted to his family and friends, working at all times for the best interest of the state, and serving for more than 25 years ably and with distinction as a Judge of the Supreme Court, and

WHEREAS, he was at the time of his death Alabama's only Supernumerary Judge, and continuing his outstanding service and work up until only a short time before his passing, and

WHEREAS, he was a lovable character, showed kindly interest in every one with whom he came in contact, and evidencing at all times by his conduct and service the highest and best in our way of life.

NOW THEREFORE BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring, that we do most deeply express our profound grief in his passing and extend our most sincere sympathy to his bereaved family and to his many devoted friends, and that a copy of this Resolution be sent to his widow Mrs. Irene Bouldin, Scottsboro, Alabama, by the Secretary of the Senate, and that a copy be spread upon the Journals of the Legislature, and that a copy be released to the press.

And on motion of Mr. Patterson, the rules were suspended and the resolution adopted by the Senate.

Mr. Coleman offered the following Senate Joint Resolution, to-wit:

S. J. R. 58. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

That we do hereby extend to the Russell County Delegation our deep and sincere appreciation for their gracious and enjoyable hospitality which the members of the Legislature have so much enjoyed.

And the rules were suspended and the above resolution adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 738. To authorize and direct the governing body of Geneva County to pay the salaries of additional clerks for the Tax Assessor and Tax Collector of the County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell

Burnside
Cater
Coleman

Fite
Gaither
Golson

Gulledge
Harvey
Henderson

Howle
Hughes
Kimbrell

Lamberth
Lowe
Mize

Patton
Perry

Russell
Swift

—21

Nays:

—0

BILLS ON THIRD READING

The Bill:

S. 356. To amend Section 176 of Title 41 of the Alabama Code of 1940.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the bill, to-wit:

Amend Senate Bill 356 by striking the words "Six months" where the same appears therein and substituting in lieu thereof the words "one year".

Amend Senate Bill 356 by inserting between the words "county" and "offices" the word "elective".

Mr. Swift offered the following substitute for the bill and pending Committee amendment, to-wit:

SUBSTITUTE FOR SENATE BILL 356

A BILL TO BE ENTITLED AN ACT

To amend Section 176 of Title 41 of the Alabama Code of 1940.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 176 of Title 41 of the Alabama Code of 1940 is hereby amended to read as follows:

Section 176. Vacancies in all state and County offices are by appointment of the governor except as otherwise provided. The appointee shall be commissioned and hold office for the unexpired term and until his successor is elected and qualified. In case of vacancy in a State or County elective office, other than a constitutional office, when that office is on a fee basis the appointee shall hold office until the next general election for any state officer held at least one year after the vacancy occurs, and until his successor is elected and qualified; the successor to hold office for the unexpired term and until his successor is selected and qualified.

Section 2. All laws and parts of laws in conflict herewith are repealed.

Section 3. This Act shall take effect immediately upon its passage and approval or its otherwise becoming a law.

Mr. Allen offered the following amendment to the substitute for the bill, to-wit:

Amend Substitute for Senate Bill 356 by striking therefrom the words "when that office is on a fee basis."

On motion of Mr. Swift, said amendment was laid on the table.

Yeas 13; Nays 7.

Yeas:

Messrs.:	Coleman	Hooton	Patton	
Boutwell	Hardwick	Hughes	Russell	
Bridges	Harvey	Langan	Swift	
Burnside	Henderson			—13

Nays:

Messrs.:	Fite	Kendall	Lamberth	
Allen	Howle	Kimbrell	Mize	
				—7

And the substitute offered by Mr. Swift for the bill and pending Committee Amendment, was then adopted.

Yeas 18; Nays 3.

Yeas:

Messrs.:	Hardwick	Langan	Perry	
Allen	Henderson	Mize	Russell	
Boutwell	Hooton	Owens	Swift	
Bridges	Hughes	Patterson	Wright	
Burnside	Kendall	Patton		—18

Nays: Messrs. Fite, Howle and Lamberth —3

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 3.

Yeas:

Messrs.:	Golson	Kendall	Patton	
Allen	Gulledge	Langan	Perry	
Boutwell	Henderson	Mize	Russell	
Bridges	Hooton	Owens	Swift	
Burnside	Hughes	Patterson	Wright	
Coleman				—20

Nays: Messrs. Fite, Howle and Lamberth —3

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Snodgrass:

H. J. R. 109. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES

TATIVES, THE SENATE CONCURRING that when the two Houses adjourn today, they adjourn to meet on Tuesday, August 2, 1949, at 10:00 o'clock, A. M.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hooton, the rules were suspended and the resolution, H. J. R. 109, set out in the foregoing Message from the House, was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 280. To provide for the construction and maintenance of a demonstration project in highway right-of-way maintenance for experimental purposes and to make an appropriation for that purpose.

was taken up.

Mr. Hardwick offered the following amendment to the bill, to-wit:

Amend Senate Bill 280 by adding at the end of the second sentence in Section 2:

Provided however the Director of the Highway Department may cause one other such experiment to be made in South Alabama and one in North Alabama according to the provisions of this Act.

Which was adopted.

Yeas 24; Nay 1.

Yeas:

Messrs.:	Gulledge	Hughes	Owens
Boutwell	Hardwick	Kendall	Patterson
Bridges	Harvey	Kimbrell	Patton
Burnside	Henderson	Lamberth	Perry
Clayton	Hooton	Langan	Summerlin
Fite	Howle	Mize	Swift
Golson			

—24

Nay: Mr. Coleman

—1

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 8.

Yeas:

Messrs.:	Cater	Henderson	Patton	
Allen	Clayton	Hooton	Perry	
Boutwell	Golson	Kendall	Swift	
Bridges	Gulledge	Mize	Wright	
Burnside	Hardwick	Owens		—18

Nays:

Messrs.:	Harvey	Hughes	Lamberth	
Coleman	Howle	Kimbrell	Patterson	
Fite				—8

The Bill:

S. 412. To make additional appropriations for constructing and improving the grounds of, the livestock coliseum heretofore authorized by law.

and pending amendment offered by the Standing Committee on Finance and Taxation was taken up.

Mr. Patterson moved that the Bill and pending amendment be re-referred to the Standing Committee on Finance and Taxation.

Mr. Patton moved as a substitute motion that further consideration of the bill, and pending amendment, be postponed until the next Legislative Day.

Mr. Henderson moved to lay on the table the motion to postpone until the next day, the motion to table was lost.

Yeas 6; Nays 20.

Yeas:

Messrs.:	Clayton	Golson	Swift	
Barrett	Fite	Henderson		—6

Nays:

Messrs.:	Gulledge	Hughes	Owens	
Allen	Hardwick	Kimbrell	Patterson	
Boutwell	Harvey	Lamberth	Patton	
Burnside	Hooton	Langan	Russell	
Cater	Howle	Mize	Wright	
Coleman				—20

And further consideration of said bill, and pending amendment, was postponed until the next Legislative Day.

The Bill:

S. 463. To provide for the vaccination against Brucellosis or Bang's Disease of calves at State expense, in order to reduce the prevalence or to exterminate contagious abortion or Bang's Disease and Brucellosis in cattle; to exempt certain classes of calves

from the provisions of this Act; to provide that such vaccination be performed by the State Veterinarian or other qualified persons; to require the marking of calves already vaccinated; to prescribe the time and area in which the vaccination program shall be administered; to authorize the State Veterinarian to exempt from vaccination certain calves; to provide for a penalty to any person not complying with this Act or obstructing the State Veterinarian; to provide that if any section of this Act be held unconstitutional, the remainder shall be valid; to provide for an appropriation to carry out the provisions of this Act, and to provide for the effective date of this Act; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize	
Allen	Fite	Howle	Owens	
Boutwell	Golson	Hughes	Patterson	
Bridges	Gulledge	Kendall	Patton	
Burnside	Hardwick	Kimbrell	Perry	
Cater	Harvey	Lamberth	Swift	
Clayton	Henderson	Langan		—26

Nays:

—0

RESOLUTION

Mr. Patterson offered the following Senate Joint Resolution, to-wit:

S. J. R. 59. Be it resolved by the Senate of Alabama, the House of Representatives concurring that we do thank His Excellency, Governor James E. Folsom and Mrs. Folsom for the splendid entertainment and dinner served the members of the Legislature, their wives and members of Courts of Last Resort and friends on Thursday evening, July 28, 1949, at the Governor's Mansion.

And on motion of Mr. Patterson, the rules were suspended and the resolution adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 297, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 297, without my approval and with a suggested executive amendment.

I respectfully suggest the following amendment to this bill:

Strike out the word "annual" wherever the same appears in the last sentence of Section 1 of said bill.

The adoption of the above amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 299, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 299, without my approval and with a suggested executive amendment.

I respectfully suggest the following amendment to this bill:

Amend Section 1 of Senate Bill No. 299 by inserting after the words "under the provisions of this chapter" where the same appears in Section 1 of this bill the words "after the deduction of the expense of the administration of this Title, such expenses not to exceed 2½% of the amount collected under this Title during the next preceeding state fiscal year."

The adoption of the amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning

Senate Bill No. 298, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 298, without my approval and with a suggested executive amendment.

I am respectfully suggesting the following amendment to this bill:

Amend Section 1 of this bill by striking out the word "annual" wherever the same appears in the last sentence of Section 1 of said bill.

The adoption of the above amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 300, with suggested executive amendments.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I returning to you, the House in which this bill originated, Senate Bill No. 300, without my approval, and with suggested executive amendments.

I am suggesting the following amendments to this bill.

Amend section 1 of this bill by striking out the words: "after the payment of the annual appropriation to the Department of Revenue for the payment of expenses incurred in the administration of this chapter" and insert in lieu thereof the following: "after payment of all expenses incurred by the Department of Revenue in the administration of this chapter, said expense not to exceed two per centum (2%) of the amount collected under this chapter during the next preceding State fiscal year".

Further amend Senate Bill No. 300 by striking out the words: "after deducting the proportionate part of the appropriation made to pay the cost of administration of this chapter" and inserting in lieu thereof: "after deducting the proportionate part of the expenses of the administration of this chapter."

Further amend Senate Bill No. 300 by striking out the words: "after deducting the proportionate part of the appropriation for expenses" where the same appear together in lines 25 and 26 of section 1 of said bill as enrolled and inserting in lieu thereof: "after deducting the proportionate part of the expenses provided for in this section."

Further amend Senate Bill 300 by striking the words "after the payment of appropriations provided" where the same appear together in section 1 of this bill and insert in lieu thereof "after the payment of expenses provided."

The adoption of these amendments will remove my objections to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 301, with suggested executive amendments.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill 301, without my approval and with suggested executive amendments.

I respectfully suggest the following amendments to this bill:

Amend Section 1 of said bill by striking out the words "shall be paid out of the annual appropriation made to the department" wherever the same appear together in Section 1 of this bill, and inserting in lieu thereof "shall be paid out of the money collected under the provisions herein, such expense not to exceed two per cent of the amount collected under the provisions of this Chapter during the next preceding State fiscal year."

Further amend Section 1 of Senate Bill No. 301 by striking out the words "after deducting such appropriation" wherever the same appear together in the last sentence of this bill, and inserting in lieu thereof "after deducting the expenses provided for herein."

The adoption of the above amendments will remove my objections to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 302, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 302, without my approval and with a suggested executive amendment.

I respectfully suggest the following amendment to this bill:

Amend Section 1 of this bill by striking out the words "less the appropriation to the Department of Revenue to pay the cost of collection" wherever the same appear in Section 1 of this bill, and inserting in lieu thereof the following: "less the expense of collection, said expense not to exceed five per cent of the amount collected under the excise tax levied by Section 631 of this Title during the next preceding State fiscal year."

The adoption of the above amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 303, with suggested executive amendments.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 303, without my approval, and with suggested executive amendments.

I am suggesting the following amendments to this bill:

Amend subsection (c) of section 1 of Senate Bill No. 303, by striking out wherever the same appear together in subsection (c) of section 1 of this bill the following words: "less the expense of collecting the same in such amount as may be appropriated by the Legislature out of said tax" and inserting in lieu thereof the following words: "less the expense of collecting the same, said expense not to exceed one per centum (1%) of the amount collected under the provisions of this article during the next preceding State fiscal year".

Further amend section 1 of Senate Bill No. 303, by striking wherever the same appear together in subsection (2) of section 1 of this bill out the words: "the expense of collecting the same in such amount as may be appropriated by the Legislature out of said tax," and inserting in lieu thereof the following words: "less the expense of collecting the same, said expense not to exceed one per centum (1%) of the amount collected under the provisions of this article during the next preceding State fiscal year,".

The adoption of these amendments will remove my objections to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 304, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 304, without my approval and with a suggested executive amendment.

I respectfully suggest the following amendment to this bill:

Amend Section 1 of Senate Bill No. 304 by striking out the words "less the amount appropriated annually to pay the cost of collection and administering this article", and insert in lieu thereof the following: "less the expense of collection and administering this article, such expense not to exceed 1% of the amount collected under the provisions of this article during the next preceding fiscal year."

The adoption of the amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 305, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 305, without my approval, and with suggested executive amendment.

I am suggesting the following amendment to the bill:

Amend section 1 of this bill by striking therefrom the words: "less the sum or sums appropriated annually to pay the expense necessary for the purchase and delivery of the motor vehicle tags required by this article, the purchase and delivery of the blank receipts, license blanks and other printing necessary in the licensing and taxing of motor vehicles, and the salary of officers or employees engaged in such department, together with all other necessary expenses for the enforcement of this article," and inserting in lieu thereof the following words: "less the expenses of the Department of Revenue for the administration and enforcement of this article, such expenses not to exceed seven per centum (7%) of the amount collected under the provisions of this article during the next preceding State fiscal year,".

The adoption of this amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 306, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 306, without my approval, and with suggested executive amendment.

I am suggesting the following amendment to this bill.

Amend section 1 of Senate Bill 306 by striking out the following words where they appear together in section 1 of said bill: "The expenses incurred in the enforcement and administration of this subdivision shall be paid out of the annual appropriations made to the department from the revenues collected under provisions of this subdivision." and inserting in lieu thereof the following: "The expenses incurred in the enforcement and administration of this subdivision shall be paid out of the funds collected under the provisions of this subdivision, such expenses not to exceed two and one-half per centum (2½%) of the amount collected under this subdivision during the next preceding State fiscal year."

The adoption of this amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 307, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 307, without my approval and with a suggested executive amendment.

I respectfully suggest the following amendment to this bill:

Amend Section 1 of Senate Bill No. 307 by striking the words "any appropriation made for the payment of expenses, including salaries", and insert in lieu thereof "any and all expenses, including salaries, such expenses, including salaries, not to exceed 3¼% of the amount collected under the provisions of this article during the next preceding state fiscal year."

Further amend Section 1 of this bill by striking the words "after the payment of appropriations for administration" wherever same appears in Section 1 of this bill and insert in lieu thereof the words "after the pay-

ment of expenses, including salaries, provided for herein.

The adoption of the amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 308, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 308, without my approval, and with suggested executive amendment.

I am suggesting the following amendment to this bill:

Amend section 1 of this bill by striking therefrom the words: "not to exceed in any event the amount appropriated by the Legislature for such purpose" wherever the same appear together in section 1 of this bill, and inserting in lieu thereof the following: "not to exceed two and one-half per centum (2½%) of the amount collected under the provisions of this article during the next preceding State fiscal year".

The adoption of this amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 309, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 309, without my approval and with a suggested executive amendment.

I respectfully suggest the following amendment to this bill:

Amend subsection (a) of Section 1 of said Bill No. 309 so as to read as follows:

"Subsection (a). For the payment by the Department of Revenue of the expenses of administration of Act No. 664, H. B. 791, approved July 5, 1940, said expenses not to exceed one and one-half per cent of the amount collected during the next preceding State fiscal year under the provisions of said Act."

The adoption of the above amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 310 with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 310, without my approval and with a suggested executive amendment.

I respectfully suggest the following amendment to this bill:

Amend Section 1 of Senate Bill No. 310 by striking therefrom the following words where they appear together in the last sentence of said Section 1: "such an amount as may be appropriated by the legislature to pay the cost of collecting the tax" and inserting in lieu thereof the following: "any expenses incurred in the administration and the collection of this tax, such expense not to exceed five per cent of the amount collected from this tax during the next preceding State fiscal year."

The adoption of the above amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 311, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which the bill originated, Senate Bill No. 311, without my approval and with a suggested amendment.

I respectfully suggested the following amendment to this bill:

Amend Section 1 of said bill by striking therefrom the words "appropriated by the legislature to pay the cost of administering the provisions of this Act and collecting the tax" and inserting in lieu thereof the following: "necessary to pay the expense of administering the provisions of this Act and collecting the tax, such expense not to exceed two and one-half per cent of the amount collected during the next preceding State fiscal year under the provisions of Act No. 590, H. 392, approved June 27, 1940 (General Acts, 1939, p. 958).

The adoption of the above amendments will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 312, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 312, without my approval and with a suggested executive amendment.

I respectfully suggest the following amendment to this bill:

Amend Section 1 of Senate Bill No. 312 by striking therefrom the following words where the same appear together in Section 1 of this bill, "such amount as may be appropriated by the legislature to pay the cost of administering and collecting the tax", and insert in lieu thereof the following: "the expense of administering and collecting the tax, such expense not to exceed 5% of the amount collected during the next preceding state fiscal year under the provisions of Act No. 2, H. 47, approved May 19, 1945, (General Acts, 1945, P. 20)

The adoption of the amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 313, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 313, without my approval, and with suggested executive amendment.

I am suggesting the following amendment to the bill:

Amend section 1 of Senate Bill No. 313 by striking therefrom the words: "less the appropriation to the department of revenue to pay the expenses incurred in the administration of this article," and inserting in lieu thereof the words: "less the expenses incurred by the department of revenue in the administration of this article, said expenses of the department of revenue not to exceed thirty-three and one-third per centum (33 1/3%) of the amount collected under the provisions of this article during the next preceding State fiscal year,".

The adoption of this amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 29, 1949.

To the Senate of Alabama
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the house in which they originated, seventeen bills, Senate Bill No. 297 through No. 313 inclusive, without my approval and with suggested executive amendments.

It is a well known fact that the Revenue Department is principally the lifeblood of the state government. If our state government is to function properly and smoothly during the next two years it is essential that we allow nothing to interfere with the proper administration of the revenue laws of this State.

These amendments provide adequate funds for administering these laws yet they also put a ceiling upon funds that may be expended for the purpose of administering the various revenue laws concerned.

I will appreciate your most careful consideration of these suggested amendments, bearing in mind that revenue to the state can be most efficiently collected only when the Revenue Department is adequately provided for.

Respectfully,

JAMES E. FOLSOM,
Governor.

July 29, 1949.

GOVERNOR'S MESSAGES

On motion of Mr. Allen the foregoing Messages from His Excellency, the Governor, relative to the following Senate Bills, S. B.'s 297-313 inclusive, and message concerning return of above bills, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

By Mr. Patterson:

S. 103. To amend Section 17 of Title 23 of the Code of Alabama (1940), which relates to agreements with other states as to bridges across rivers or streams forming the boundary of the State of Alabama.

Also:

By Mr. Cater:

S. 110. To Amend Section 370, Title 7, of the Alabama Code of 1940, the Section commonly referred to as "The Newspaper Privilege" Law.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Pinkston, Busby, Sightler and Ingalls:

H. 874. To provide for the appointment of a Clerk of the Montgomery County Board of Revenue; to prescribe his duties; to authorize the Montgomery County Board of Revenue to fix his compensation, the

same to be payable out of the general fund of the county; and to provide for his official bond.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of intention to apply for the passage of a local law for Montgomery County, Alabama, at the 1949 Regular Session of the Legislature of Alabama which convened on the first Tuesday in May, 1949, which local law reads as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the appointment of a Clerk of the Montgomery County Board of Revenue, to prescribe his duties; to authorize the Montgomery County Board of Revenue to fix his compensation, the same to be payable out of the general fund of the county; and to provide for his official bond.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Montgomery County Board of Revenue shall appoint a Clerk of said board, who shall perform the duties herein prescribed, under the direction of said board.

Section 2. That the duties of the Clerk of the Montgomery County Board of Revenue shall be as follows:

A. He shall attend all meetings of the board and shall keep a record of the proceedings and actions of the board.

B. He shall safely keep all records and documents of the board.

C. He shall prepare and present to the board all data pertaining to the responsibility of the board and all matters of business which come to his attention.

D. He shall install, maintain, and keep all accounting and reporting records required by law.

E. He shall prepare and present to the board for approval, not later than the second Monday of August of each year, an estimate of the revenues anticipated and of the required expenses for the several divisions of the county government for the next succeeding fiscal year.

F. Upon the adoption of a budget for the county by the board, he shall be responsible for the execution of the same and insure that all expenditures of county funds are made in strict compliance therewith.

G. He shall have direct control of, and responsibility for, all property of the county over which the board has authority; shall maintain and keep such property in repair; shall maintain in a permanent record a perpetual inventory of such property; and shall insure all of such property as the board may direct.

H. He shall have authority to employ and discharge all employees in the office of the board and all employees of the county who maintain, repair, or perform janitor service in the courthouse, jail, and other county-owned buildings. but such employment shall be only to positions authorized by the board and at salaries set by the board.

I. He shall keep a permanent record of all retired employees of the county as the law may direct.

J. He shall receive and safely keep all funds of the county in their proper accounts in a depository designated by the board, and shall disburse all funds of the county in the name of the board on his signature as clerk.

K. In the handling of the funds of the county, he shall be governed by all general laws pertaining to a county treasurer which are not in conflict with the provisions of this Act.

L. He shall act as purchasing agent for the county in regard to all purchases authorized by law to be made by the board, approving requisitions for purchases from the several divisions of the county government, and issuing purchase orders thereon, unless the board, by resolution or order, may provide otherwise.

M. He shall be charged with the safekeeping of all securities and investments of the county under the jurisdiction of the board, and shall have the authority to rent, at the expense of the county, ample and safe bank storage space to insure the safekeeping of such securities and investments.

N. He shall, when he deems proper or when directed by the board, examine or cause to be examined the accounts and records of any and all county offices from which revenue is derived; demand and receive all monies due the county from any such office; and institute proceedings for the recovery of money due the county against any defaulters.

O. He shall, when he deems proper or when directed by the board, examine or cause to be examined the accounts and records of any division of county government disbursing or using county funds.

P. He shall perform such other duties as may be lawfully, delegated to him by the board.

Section 3. That the Montgomery County Board of Revenue shall fix the compensation to be paid to said clerk, which compensation shall be paid out of the general fund of the county as the compensation of other employees of the county is paid.

Section 4. That the Clerk of the Montgomery County Board of Revenue, before entering upon the discharge of his duties, must give bond in the sum of fifty thousand dollars or such higher sum as may be determined by the board, such bond to be payable to the county and conditioned as prescribed by law, to be fixed and approved by the board, and to be filed and recorded in the office of the judge of probate. The premium on such bond shall be paid out of the general fund of the county.

Section 5. That all laws or parts of laws, general, special, or local, in conflict herewith be and the same are hereby expressly repealed.

Section 6. That the provisions of this Act are hereby declared to be severable and, should any part hereof be declared unconstitutional by a court competent jurisdiction, such declaration shall not affect the remainder.

Section 7. That this Act shall become effective immediately upon its passage and approved by the Governor or its otherwise becoming a law.

June 16, 23, 30, July 7, 1949.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lucille Raffels, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Sec. Treas. of the Montgomery Examiner, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 16, 23, 30, and July 7, all in the year 1949.

LUCILLE RAFFELS.

Sworn to and subscribed before me July 14, 1949.

ALEE STEWART,
Notary Public.

Also:

By Messrs. Ingalls, Pinkston, Busby and Sightler:

H. 875. Relating to the salaries of the officers of the Juvenile and Court of Domestic Relations—Montgomery County, Alabama, to fix the salary of the Clerk of the Juvenile and Court of Domestic Relations—Montgomery County, Alabama, and to fix the maximum amount of the respective salaries to be received by the Probation Officers and said Juvenile and Court of Domestic Relations—Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Notice is hereby given that at the present session of the legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the salaries of the officers of the Juvenile and Court of Domestic Relations—Montgomery County, Alabama, to fix the salary of the Clerk of the Juvenile and Court of Domestic Relations—Montgomery County, Alabama, and to fix the maximum amount of the respective salaries to be received by the Probation Officers of said Juvenile and Court of Domestic Relations—Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the Clerk of the Juvenile and Court of Domestic Relations—Montgomery County, Alabama, shall be \$2,220.00 per annum payable in twelve equal monthly installments out of the general fund of Montgomery County, Alabama.

Section 2. The Chief Probation Officer of the Juvenile and Court of Domestic Relations—Montgomery County, Alabama, shall receive a salary of not exceeding \$2,220.00 per year, and the Deputy Probation Officer of said Juvenile and Court of Domestic Relations—Montgomery County, Alabama shall receive a salary of not exceeding \$2,220.00 per year, the amount of the respective salaries to be received by said Probation Officers within the said limits shall be fixed and regulated as occasion may require by the Judge of the Juvenile and Court of Domestic Relations—Montgomery County, Alabama, which said respective salaries shall be payable monthly out of the general funds of said County.

Section 3. All laws and parts of laws in conflict with the provisions of this Act be and the same are hereby expressly repealed, but only to the extent of such conflict.

Section 4. This Act shall become effective upon its passage and approval by the Governor.

June 16, 23, 30, July 7, 1949.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lucille Raffels, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Sec.-Treas. of the Montgomery Examiner, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having

appeared in the issues of said paper on June 16, 23, 30, and July 7, all in the year 1949.

LUCILLE RAFFELS.

Sworn to and subscribed before me July 14, 1949.

ALEC STEWART,
Notary Public.

Also:

By Messrs. Vann and Morring:

H. 901. Relating to Madison County; To provide for the election, qualification, and tenure of members of the County Board of Education of Madison County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LOCAL BILL NO. II

A BILL TO BE ENTITLED AN ACT

Relating to Madison County: To provide for the election, qualifications, and tenure of members of the County Board of Education of Madison County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the Board of Education of Madison County are hereby designated to represent the districts of Madison County created by Act No. 469, S. 572, approved July 20, 1931, (Local Acts of Alabama, 1931, page 232) as follows: District No. 1, A. L. Moore; District No. 2, W. E. Butler; District No. 3, P. R. Ivey; District No. 4, L. G. Collier; and District No. 5, P. W. Peeler.

Section 2. Upon the expiration of the term of any member of the Board of Education, his successor shall be elected by the qualified electors of Madison County.

Section 3. To qualify for election to the Board of Education a candidate must possess the qualifications required of members by Chapter 5, Title 52, Code of Alabama (1940) and must reside and be a qualified elector in the district which he proposes to represent if elected.

Section 4. Except as is otherwise provided herein, the provisions of Chapter 5, Title 52, Code of Alabama (1940), shall apply to the Board of Education of Madison County.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. R. McGhee, who being by me first duly sworn, deposes and says that during the times herein mentioned he was President of the Tennessee Valley News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 9, June 16, June 23, and June 30, all in the year 1949.

J. R. MCGHEE.

Sworn to and subscribed before me June 30, 1949.

JAS. R. RECORD,
Notary Public.

Also:

By Messrs. Dumas, Beatty, Gibson, Meeks and Sadler:

H. 917. To provide for the relief of John C. Allen out of the general fund of Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL ACT

Notice is hereby given under the provisions of and pursuant to Section 106 of the Constitution of Alabama of 1901 of intention to apply for the passage of and to submit to the Legislature of the State of Alabama, the following bill:

A BILL TO BE ENTITLED AN ACT

To provide for the relief of John C. Allen out of the general fund of Jefferson County, Alabama.

Section 1. That it shall be the duty of the County Commission of Jefferson County, Alabama, to forthwith draw or cause to be drawn upon the County Treasurer of said County a warrant in the sum of Twenty-Five Hundred Dollars (\$2,500.00) which said warrant shall be in favor of John C. Allen to compensate him for compound fracture of right leg and other bodily injuries, resulting in partial permanent disablement, sustained by John C. Allen, an employee of said county, which said injuries were sustained while said John C. Allen was in the performance of his duties as machinist on Nov. 13, 1947. It shall be the duty of the County Treasurer to forthwith pay said warrant out of the general fund of said county.

Section 2. That this act shall become effective immediately upon its passage or approval by the Governor, or its otherwise becoming a law. Messenger—May 14-21-28; June 4, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 14, 21, 28, June 4, 1949, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 13 day of July, 1949.

MALCOLM L. WHEELER,
Notary Public.

Also:

By Messrs. Meeks, Adams (Jefferson), Dumas, Beatty, Sadler and Gibson:

H. 919. To amend Act No. 215 of the regular session of the Legislature of Alabama of 1947, Approved July 24, 1947 (General Acts of Alabama

of 1947, Page 81 Et Seq.) Entitled "An Act to provide, in any city of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal Census, for the incorporation of an authority to lease, or own, or otherwise acquire and provide, control and operate fairgrounds, parks, exhibits, exhibitions and other installation, facilities and places for the amusement, entertainment, recreation and cultural development of the citizens of such city; to provide for the management of said authority by a Board of Directors; to provide for the appointment, and term of office and removal of said Directors; to provide for the powers of such authority; to authorize the City to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions of which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the City to make appropriations or to lend money to the authority; and to accord the authority exemption from State, County and City taxation".

Also:

By Messrs. Dobbs (Elmore) and Hornsby:

H. 323. To Fix the Compensation of the Members of the Court of County commissioners, or Governing Body, of Elmore County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that at the next meeting of the Legislature of Alabama, which convenes in May, 1949, application will be made for the passage and approval of a certain Act, the substance of which will be as follows:

AN ACT

To Fix the Compensation of the Members of the Court of County Commissioners, or Governing Body of Elmore County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That each member of the Court of County Commissioners, or Governing Body, of Elmore County, Alabama, shall be paid out of the County Treasury of Elmore County, Alabama, for their services, the sum of Two Hundred Fifty and no/100 (\$250.00) Dollars per month, and seven cents per mile in going to and returning from sessions of said Court, or Governing Body, and seven cents per mile for each mile necessarily traveled in inspecting, and accepting or refusing, building or repairing of any county bridges, county roads, county buildings or official duties, said sums to be paid by warrants drawn on the County Treasurer of said County on the order of the Court of County Commissioners, or other Governing Body, of said County.

Section 2. The provisions of this Act shall go into effect on the first day of the month next succeeding the passage and approval hereof, or of its otherwise becoming a law.
21apr4t.

STATE OF ALABAMA
ELMORE COUNTY

Before me the undersigned authority personally appeared W. H. Golson, who by me first being duly sworn deposes and says that he is

the Editor of The Wetumpka Herald, a weekly newspaper published at Wetumpka, in Elmore County, Alabama, and that the attached notice Legal Notice Act of Legislature was published in said newspaper for four successive weeks to wit: April 21, 1949, April 28, 1949, May 5, 1949, and May 12, 1949.

W. H. GOLSON,

Editor, The Wetumpka Herald.

Sworn to and subscribed before me this the 16 day of May, 1949.

R. M. FULLER,
Notary Public.

Also:

By Messrs. Snodgrass and O'Neal:

H. 924. To amend Section 25 of an Act of the Legislature entitled: "An Act to establish a County Court of Jackson County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations; to provide that said Court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund for said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and in the Probate Court of Jackson County, Alabama, to the Jackson County Court; and to provide for the transfer of certain cases pending in said Jackson County Court to the Equity side of the Circuit Court of Jackson County, Alabama," approved July 10, 1940, and found on pages 368 and 377, inclusive, of the Local Acts of 1939.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given of intention to apply to the present regular session of the Alabama Legislature, which convened in May, 1949, for the passage of a Local Act to be applicable to Jackson County, Alabama, which Act is, in substance, as follows:

AN ACT

To amend Section 25 of an Act of the Legislature entitled: "An Act to establish a County Court of Jackson County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations; to provide that said Court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund for said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and in the Probate Court of Jackson County, Alabama, to the Jackson County Court; and to provide for the transfer of certain cases pending in said Jackson County Court to the Equity side of the Circuit Court of Jackson County, Alabama," approved July 10, 1940, and found on pages 368 and 377, inclusive, of the Local Acts of 1939.

Be It Enacted by the Legislature of Alabama:

That Section 25 of an Act of the Legislature of Alabama, entitled: "An Act to establish a County Court of Jackson County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations; to provide that said Court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund for said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and in the Probate Court of Jackson

County, Alabama, to the Jackson County Court; and to provide for the transfer of certain cases pending in said Jackson County Court to the Equity side of the Circuit Court of Jackson County, Alabama," approved July 10, 1940 and found on pages 368 and 377, inclusive, of the Local Acts of 1939, be amended so as to read as follows:

Section 25. That when the fund in said Fine and Forfeiture Fund referred to in the last preceding Section shall reach and exceed the sum of Fifteen Hundred Dollars (\$1,500.00), the Clerk of said Court shall issue a warrant against the Fine and Forfeiture Fund so created payable to the General Fund of Jackson County, Alabama, in the amount of said surplus over and above Fifteen Hundred Dollars (\$1,500.00).

623A4

STATE OF ALABAMA
JACKSON COUNTY

Before me, Lois Stewart, a Notary Public in and for said County, in said State, this day personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says:

I am the Editor and Publisher of the Progressive Age, a weekly newspaper of general circulation published at Scottsboro, in Jackson County, Alabama; the foregoing notice of local legislation was regularly published in said newspaper once a week for four consecutive weeks, appearing in the issues of June 23rd, June 30th, July 7th and July 14, 1949, and that said publication was made without cost to the State of Alabama.

P. W. CAMPBELL.

Sworn to and subscribed before me this the 19th day of July, 1949.

LOIS STEWART,
Notary Public.

Also:

By Mr. Beck:

H. 925. To transfer the Juvenile Court of DeKalb County, Alabama from the Probate Court of said county to the DeKalb County Court of said county and to give to said DeKalb County Court exclusive jurisdiction over children and juvenile matters and cases of Desertion and Non-Support; to provide that the Judge of the DeKalb County Court shall be Judge of the Juvenile Court in said county; to allow the clerk \$400.00 per year additional ex-officio fees for his services upon said court, and to allow the Deputy Solicitor of said county \$50.000 per month additional compensation for his attendance and prosecution in said court.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF DeKALB

Notice is hereby given that at the Regular 1949 session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To transfer the Juvenile Court of DeKalb County, Alabama, from the Probate Court of said County to the DeKalb County Court of said County and to give to said DeKalb County Court exclusive jurisdiction over children and juvenile matters and cases of Desertion and Non-Support;

to provide that the Judge of the DeKalb County Court shall be Judge of the Juvenile Court in said county; to allow the clerk \$400.00 per year additional ex-officio fees for his services upon said court, and to allow the Deputy Solicitor of said county \$50.00 per month additional compensation for his attendance and prosecution in said court.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Juvenile Court in and for DeKalb County, Alabama, be and the same hereby is transferred from the Probate Court of said County to the DeKalb County Court of said county.

Section 2. That said DeKalb County Court shall have exclusive jurisdiction over children and the judge of the DeKalb County Court shall be judge of the Juvenile Court; it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the DeKalb County Court of all juvenile matters and juvenile jurisdiction in DeKalb County, Alabama, as now provided under Title 13, Chapter 7, Section 350 to 383, both inclusive, of the Code of Alabama 1940, or as hereafter amended, and appeal in such cases shall be as provided by law.

Section 3. That the DeKalb County Court shall have exclusive and original jurisdiction of all cases arising under Title 34, Article 3, Sections 89 to 104, both inclusive, of the Code of Alabama 1940, or as hereafter amended, which article 3 is entitled Desertion and Non-Support. That the trial of such cases shall be by the court without a jury and appeals in such cases shall be as provided by law.

Section 4. That the Clerk of the DeKalb County Court is hereby made the Clerk of the Juvenile Court and shall issue complaints, warrants, notices, decrees, orders and writs necessary in and about the operation of said court and for his services upon said court shall receive, in addition to compensation now or hereafter allowed him, the sum of \$400.00 per annum as ex-officio fees to be paid by the Board of Revenue of DeKalb County, Alabama, as other ex-officio fees are paid.

Section 5. It shall be the duty of the Deputy Solicitor of DeKalb County, Alabama to attend the trial of cases in said court and to prosecute said cases in like manner as other criminal cases and in addition to the salary or compensation now or hereafter paid to him shall receive the sum of \$50.00 per month for his services upon said court to be paid monthly by the Board of Revenue of DeKalb County, Alabama, out of the general fund of said county.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. (5-25-4t.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DEKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. O. Davidson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Fort Payne Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 25, June 1, June 8, and June 15, all in the year 1949.

E. O. DAVIDSON.

Sworn to and subscribed before me June 24, 1949.

W. JAY TINDLE,
Notary Public.

By Messrs. Meeks, Sadler, Gibson and Dumas:

H. 926. To provide for the relief of Mrs. Mamie Rickles out of the General Fund of Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

AN ACT

For the relief of Mrs. Mamie Rickles. Being enacted by the Legislature of Alabama.

The Commission of Jefferson County, Alabama is hereby authorized and directed to pay to Mrs. Mamie Rickels, the widow of former Deputy Sheriff Dewey V. Rickels, the sum of three thousand dollars (\$3,000.00) for the death of her husband, Dewey V. Rickels, who was killed while acting in the line of duty by Lott Vergess on the 14th day of April, 1948. This act shall become effective immediately upon its passage and approval by the governor or its otherwise becoming a law.

Post: June 25, July 2, 9, 16, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, SS
COUNTY OF JEFFERSON

J. Ramage Personally appeared before me this 19 day of July 1949 and upon oath states that she is the bookkeeper of The Birmingham Post a newspaper of general circulation in the City of Birmingham, County of Jefferson, State of Alabama, and further declares that the attached advertisement is a true copy which appeared in the said Birmingham Post on the following dates, to wit:

June 25, July 2, 9 and 16, 1949.

JULIAETTE RAMAGE,
Bookkeeper, Birmingham Post.

Subscribed and sworn to before me this 19 day of July 1949.

HAROLD J. WILSON,
Notary Public, Jefferson County, Alabama.

My commission expires July 30, 1951. Bonded by American Surety Co. of N. Y.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 874, 875, 901, 917, 919, 323, 924, 925, 926. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Snodgrass and Pruitt:

H. 899. To appropriate the sum of twenty-five thousand dollars

(\$25,000) to the State Building Commission for the repair of the roof of the State Capital Building.

Also:

By Messrs. Brassell and Harris:

H. 118. To Amend Act No. 569, General Acts of 1947, Page 402, Approved October 2, 1947, "To fix and prescribe the salaries to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of said salaries by the counties of certain judicial circuits", and to provide for the repeal of all acts, all laws and parts of laws in conflict herewith.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 899. To the Committee on Finance and Taxation.

H. B. 118. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

By Mr. Coleman:

S. J. R. NO. 58. Relative to expressing appreciation to the Russell County Delegation for their hospitality to the members of the Legislature.

Also:

By Messrs. Patterson and Owens:

S. J. R. NO. 57. Relative to expressing sympathy to the family of Hon. Virgil Bouldin.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

By Mr. Gullledge:

S. 553. To impose extra, new, and additional duties upon the Superintendent of Education of Chilton County, Alabama; to provide additional compensation for the performance of such duties; and to authorize the payment of reasonable expenses incurred by said superintendent of education in the performance of his official duties.

Also:

By Mr. Hardwick:

S. 549. Relating to Houston County: To amend Act No. 315, S. 293, approved August 13, 1947, (Local Acts of Alabama, 1947, page 226) en-

titled "An Act to create and establish in Houston County, in lieu of the county court, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectable therein."

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Shelton:

H. 491. To provide for an additional fee to be taxed as a part of the costs in any proceeding or prosecution under any of the prohibition laws of the State in which the defendant is convicted or taxed with the costs; and providing for the disposition of the fee.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 491. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bills:

By Mr. Boutwell:

S. 484. To provide for the alteration or rearrangement of the boundary lines of the City of Birmingham in Jefferson County, Alabama, so as to include within the corporate limits of said City of Birmingham the territory in said county now within the corporate limits of said City of Birmingham and the territory or territories in said county now within the corporate limits of the cities of Homewood, Mountain Brook, Tarrant City and Fairfield and the territory in said county now within the corporate limits of the town or city of Irondale and territory in said county now without the corporate limits of any city or town; and to provide for elections as a part of the provisions for such alteration or rearrangement.

By Mr. Mize:

S. 468. To provide for the government and control by Civil Service regulations of certain employees and classes of employees of Tuscaloosa County, Alabama, and to provide for a Civil Service Board in said county and to fix its duties, authority, powers, and method of compensation.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Senate concurred in and adopted the following House amendment to the bill, S. B. 484, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SENATE BILL NO. 484

Senate Bill No. 484 is hereby amended by striking out the word "twenty" where the same appears before the words "after the passage of this act" in Section 2 and inserting in lieu thereof the word "forty".

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patton	
Allen	Gaither	Kendall	Perry	
Boutwell	Golson	Lamberth	Russell	
Burnside	Hardwick	Lowe	Summerlin	
Clayton	Henderson	Mize	Swift	
Coleman	Hooton			—21

Nays:

—0

On motion of Mr. Mize, the Senate concurred in and adopted the following House amendment to the bill, S. B. 468, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SENATE BILL 468

Amend Section 4 of Senate Bill 468 by adding at the end thereof the following:

"Any member of the Board desiring to become a candidate for public office shall first resign as a member of said Board and in the event said member fails to resign and becomes a candidate for public office, then the office of said member on said Board shall become immediately vacant and it shall be the duty of the Probate Judge to notify the Governor of such vacancy."

Amend Section 6 of Senate Bill 468 by striking from the eighth sentence the word "as" and inserting in lieu thereof the word "or."

Amend Section 8 of Senate Bill 468 by striking from the first sentence the words "the name and address, or names and addresses, of the candidate or candidates standing highest on the eligible list and same shall" and insert in lieu thereof the following words: "the names and addresses of three candidates from the appropriate eligible list, from which three candidates the head of the department or office involved may select the person or persons to."

Amend Section 10 of Senate Bill 468 by striking the first paragraph and inserting in lieu thereof the following: "The governing body of the county, any member of the governing body, or the head of any department or office can remove, discharge, or demote any employee, officer or official of the county who is subject to the provisions of this Act and who is directly under such governing body, member thereof, or department head, provided that within five days a report in writing of such action is made to the Board, giving the reason for such removal, discharge, or demotion. The employee shall have ten days from the time of notification of his discharge, removal, or demotion in which to appeal to the Board. The Board shall thereupon order the charges or complaint to be filed forthwith in writing and shall hold a hearing de novo on such charges. No permanent employee, officer, or official of Tuscaloosa County whose employment comes within the jurisdiction of this Act, and whose probationary period has been served, shall be removed, discharged, or demoted except for cause, and if such removal, discharge, or demotion is appealed to the Board, then the same will become final only after a hearing upon written charges or complaint has been had and after an opportunity has been given him to face his accusers and be heard in his own defense. Pending a hearing on said appeal, the affected employee may be suspended or demoted; and after such hearing the Board may order said employee reinstated, demoted, removed, discharged, or suspended, or take such other disciplinary action as in their judgment is warranted by the evidence and under the law."

Amend Section 21 of Senate Bill 468 by striking the remainder of the first sentence immediately following the words "unless same be otherwise provided" and inserting in lieu thereof the word "herein" followed by a period.

Amend Section 24 of Senate Bill 468 by striking therefrom the words "of any of the provisions" where they appear immediately following the words "The violation."

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Owens
Allen	Gaither	Kendall	Patton
Boutwell	Golson	Kimbrell	Perry
Bridges	Hardwick	Lowe	Russell
Cater	Henderson	Mize	Swift
Coleman	Hooton		

—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Haynes (Franklin):

H. 464. To amend Section 647 of Title 51 of the 1940 Code, which relates to the excise tax on gasoline.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 464. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Sullivan and Merrill:

H. 872. To amend Section 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts of Alabama, 1945, page 734), as amended, which establishes a state employees' retirement system.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 872. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Busby:

H. 640. For the relief of Joel A. Bamberg. WHEREAS, Joel A. Bamberg, while in the course of his employment by the State Highway Department as a right-of-way foreman, was injured in an accident in Walker County on March 14, 1938 which resulted in his being ninety per cent blinded for industrial purposes, and WHEREAS, Joel A. Bamberg is now in need of an operation and medical care and will permanently be totally or partially disabled from earning a living.

And ordered same sent forthwith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 640. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Harris:

H. 769. To regulate further the use of the highways of the State by pedestrians and vehicles; prescribing equipment of certain vehicles and further prescribing rules and regulations governing traffic and the operation of vehicles on the highways; providing the method of enforcing this Act; and prescribing penalties for violations hereof.

Also:

By Mr. Harris:

H. 770. To revise Chapter 1 of Title 36 of the Code of Alabama (1940), which relates to motor vehicles and more particularly to the rules of the road, by amending Sections 1, 16, 17, 19, 20, 26, 27, 38, 39, 40, 41, 42, 46, 48, 51, 52, 55, and 56, and repealing Sections 30, 43, and 57.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 769 and 770. To the Committee on Public Roads and Highways.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Patterson:

S. J. R. NO. 59. Expressing appreciation to His Excellency, Governor James E. Folsom and Mrs. Folsom for the splendid entertainment and dinner served the members of the Legislature, their wives and members of Courts of Last Resort and friends on Thursday evening, July 28, 1949, at the Governor's Mansion.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILL ON THIRD READING RESUMED

The Bill:

S. 199. Relating to motor vehicles: To amend Section 89 of Title 36 of the Code of Alabama (1940), as amended.

was taken up.

The Standing Committee on Public Roads and Highways reported the following substitute for the bill, to-wit:

SUBSTITUTE TO S. B. 199

A BILL TO BE ENTITLED AN ACT

Relating to motor vehicles: To amend Section 89 of Title 36 of the Code of Alabama (1940), as amended.

Be It Enacted by the Legislature of Alabama:

Section 89 of Title 36 of the Code of Alabama (1940), as amended, is hereby amended to read:

"Section 89. Size and weight of vehicles and loads.—It shall be unlawful for any person to drive or move on any highway in this state any vehicle or vehicles of a size or weight except in accordance with the following provisions: (a) Width. No vehicle shall exceed a total outside width including any load thereon of eight feet. No vehicle shall be driven or drawn upon a highway with more than four animals abreast. No passenger vehicle shall carry any load extending beyond the line of the fenders; (b) Height. No vehicle shall exceed in height twelve and one-half feet; (c) Length. No vehicle shall exceed in length thirty-five feet except that the length of semi-trailer trucks, including any part of the body or load, shall not exceed fifty feet. No vehicle operated on a highway shall carry any load extending more than two feet beyond the front thereof; (d) Weight. No vehicle equipped with high pressure pneumatic tires shall carry a wheel load in excess of eight thousand pounds, nor an axle load in excess of sixteen thousand pounds; no vehicle equipped with low pressure or balloon tires shall carry a wheel load in excess of nine thousand pounds, nor an axle load in excess of eighteen thousand pounds, nor shall the wheel load on any type tire exceed six hundred pounds per inch width of tire measurement by outside cross section width of tire. Subject to the limitations imposed by the wheel and axle loads prescribed, the total gross weight with load imposed upon the highway by any one group of two or more consecutive axles of a vehicle or combination of vehicles shall not exceed the gross weight given for the respective distance between the first and last axle of the total group of axles measured longitudinally to the nearest foot as set forth in the following table.

Distance in feet between first and last axles of group	Maximum load in pounds on group of axles
4	32,000
5	32,000
6	32,000
7	32,000

8	32,610
9	33,580
10	34,550
11	35,510
12	36,470
13	37,420
14	38,360
15	39,300
16	40,230
17	41,160
18	42,080
19	42,990
20	43,900
21	44,800
22	45,700
23	46,590
24	47,470
25	48,350
26	49,220
27	50,090
28	50,950
29	51,800
30	52,650
31	53,490
32	54,330
33	55,160
34	55,980
35	56,800
36	57,610
37	58,420
38	59,220
39	60,010
40	60,800
41	61,580
42	62,360
43	63,130
44	63,890
45	64,650

The term "axle load" as herein used shall mean the total load of all wheels whose centers may be included between two parallel transverse vertical planes forty inches apart. Provided further, that the governing body of a county by appropriate resolution may authorize limitations other than those herein prescribed for vehicles operated upon the county highways of such county.

Section 2. That all laws and parts of laws in conflict herewith be and the same are hereby expressly repealed.

Section 3. This act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

Mr. Hardwick offered the following substitute for the bill, S. B. 199, and pending Committee substitute, to-wit:

SUBSTITUTE FOR S. B. 199

A BILL
TO BE ENTITLED
AN ACT

To amend Section 89, Article 2, Title 36 of the 1940 Code of Alabama as previously amended by an Act entitled "An Act to Amend Section 89, Article 2, Title 36 of the 1940 Code of Alabama," approved June 17, 1943.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 89, Article 2, Title 36 of the 1940 Code of Alabama as previously amended by an Act entitled "An Act to Amend Section 89, Article 2, Title 36, of the 1940 Code of Alabama," approved June 17, 1943, be and the same is hereby amended to read as follows: Section 89.—SIZE AND WEIGHT OF VEHICLES AND LOADS.—It shall be unlawful for any person to drive or move on any highway in this state any vehicle or vehicles of a size or weight except in accordance with the following provisions: (a) WIDTH.—No vehicle shall exceed a total outside width including any load thereon of eight feet. No vehicle shall be driven or drawn upon a highway with more than four animals abreast. No passenger vehicle shall carry any load extending beyond the line of the fenders; (b) HEIGHT.—No vehicle shall exceed in height twelve and one-half feet; (c) LENGTH.—No vehicle shall exceed in length thirty-five feet except that the length of semi-trailer trucks, including any part of the body or load, shall not exceed fifty feet and forty feet for busses. No vehicle operated on a highway shall carry any load extending more than two feet beyond the front thereof; (d) WEIGHT.—No vehicle equipped with high-pressure pneumatic tires shall carry a wheel load in excess of five thousand pounds, nor an axle load in excess of ten thousand pounds; no vehicle equipped with low-pressure or balloon tires shall carry a wheel load in excess of six thousand five hundred pounds, nor an axle load in excess of thirteen thousand pounds, nor shall the wheel load on any type tire exceed five hundred pounds per inch width of tire measurement by outside cross section width of tire. Subject to the limitations imposed by the herein prescribed wheel and axle loads, no vehicle shall be operated upon a highway whose gross weight, with load, exceeds that given by the formula: $W = C \times (L + 40)$ where, W = total gross weight with load, in pounds, C = 500 where the distance between the first and last axle of a vehicle exceeds eighteen feet, or C = 400 where the distance between the first and last axle of a vehicle is eighteen feet or less, and L = the distance between the first and last axle of a

vehicle, in feet. Provided, however, that upon bituminous surface-treated, mixed bituminous, bituminous penetration, bituminous or sheet asphalt, portland cement concrete, brick and block highways no vehicle equipped with high-pressure pneumatic tires shall carry a wheel load in excess of eight thousand pounds, nor an axle load in excess of sixteen thousand pounds, no vehicle equipped with low-pressure or balloon tires shall carry a wheel load in excess of nine thousand pounds, nor an axle load in excess of eighteen thousand pounds, nor shall the wheel load on any type tire exceed six hundred pounds per inch width of tire measurement by outside cross section width of tire. Subject to the limitations imposed by the wheel and axle loads prescribed for bituminous surface-treated, mixed bituminous, bituminous penetration, bituminous concrete or sheet asphalt, portland cement concrete, brick and block highways, no vehicle shall be operated thereupon whose total gross weight, with load, exceeds that given by the formula: $W = C X (L + 40)$ where W = total gross weight with load, in pounds, $C = 700$ where the distance between the first and last axle of a vehicle exceeds eighteen feet, or $C = 650$ where the distance between the first and last axle of a vehicle is eighteen feet or less and L = the distance between the first and last axle of a vehicle in feet, The term "axle load" as herein used shall mean the total load of all wheels whose centers may be included between two parallel transverse vertical planes forty inches apart. Provided further that the governing body of a county by appropriate resolution may authorize limitations other than those herein prescribed for vehicles operated upon the county highways of such county. Provided further that the total gross weight with load of any vehicle shall not exceed 56,000 pounds.

Section 2. That all laws and parts of laws in conflict herewith be and the same are hereby expressly repealed.

Section 3. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

At 12:20 P. M. Mr. Owens moved that the Senate do now adjourn until Tuesday, August 2, 1949, at 10:00 A. M. which motion was lost.

Yeas 9; Nays 19.

Yeas:

Messrs.:	Hooton	Lamberth	Perry	
Fite	Howle	Owens	Summerlin	
Harvey	Kimbrell			—9

Nays:

Messrs.:	Cater	Hardwick	Mize	
Allen	Clayton	Henderson	Patterson	
Boutwell	Coleman	Hughes	Patton	
Bridges	Golson	Langan	Russell	
Burnside	Gulledge	Lowe	Swift	—19

Mr. Owens moved that further consideration of the bill, S. B. 199, and pending substitutes, be postponed until the Thirty-fifth Legislative Day.

Mr. Hardwick moved to lay on the table the motion to postpone and the motion to table was lost.

Yeas 13; Nays 17.

Yeas:

Messrs.:	Golson	Kimbrell	Patton	
Clayton	Hardwick	Lamberth	Summerlin	
Coleman	Henderson	Mize	Swift	
Fite	Hughes			—13

Nays:

Messrs.:	Gaither	Kendall	Patterson	
Allen	Gulledge	Langan	Perry	
Boutwell	Harvey	Lowe	Russell	
Burnside	Hooton	Owens	Wright	
Cater	Howle			—17

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

Mr. President and Members of the Senate:

S. R. 60. Your Committee on Rules reports the following bills in the order listed for special, paramount and continuing order following the bills now on special order:

	Page
H. 713	70
H. 487	54
H. 294	64
H. 313	67
H. 745	55
S. 523	69
S. 455	56
S. 449	59
S. 169	14
S. 82	28
S. 81	29
S. 393	29
S. 567	71
S. 217	22
S. 5	27
H. 784	70
S. 537	68
S. 532	73
S. 531	60
S. 488	47

S. 430	33
S. 163	10
S. 511	56
S. 431	41
S. 162	23
S. 220	38
S. 221	38
S. 459	36
S. 41	57
S. 530	64
S. 408	36
S. 447	39
S. 551	74
S. 469	47
S. 421	44
S. 407	41
H. 17	24
H. 385	66
H. 87	17
H. 193	47
H. 182	57
H. 94	60
H. 189	40
H. 720	57
H. 729	53
S. 194	18
S. 23	11

It is recommended that each day before taking up this special order the Senate dispose of all local bills in the order they appear on the calendar.

Mr. Burnside moved that further consideration of S. R. 60 be postponed until the next Legislative Day.

Mr. Swift moved to lay on the table the motion to postpone.

NOTICE IN WRITING

Mr. Langan offered the following Notice in Writing, to-wit:

July 29, 1949.

Notice is hereby given that under the provisions of Senate Rule 48 I will on the next Legislative Day move to have Senate Bill 483 given a second reading and placed on the regular calendar.

JOSEPH N. LANGAN.

Which was read and ordered spread upon the Journal.

ADJOURNMENT

At 1:05 P. M. on motion of Mr. Harvey and in accordance with Joint Resolution heretofore adopted and pending further consideration of S. R. 60, S. B. 199 and pending substitutes, and S. B. 442, as amended by the substitute, the Senate adjourned until Tuesday, August 2, 1949, at 10:00 A. M.

Yeas 15; Nays 14.

Yeas:

Messrs.:	Gaither	Kendall	Owens	
Allen	Harvey	Kimbrell	Patton	
Burnside	Hooton	Lamberth	Russell	
Fite	Howle	Langan	Summerlin	—15

Nays:

Messrs.:	Coleman	Hughes	Perry	
Boutwell	Golson	Lowe	Swift	
Cater	Gulledge	Mize	Wright	
Clayton	Henderson	Patterson		—14

 TWENTY-SEVENTH LEGISLATIVE DAY

TUESDAY, AUGUST 2, 1949

The Senate met pursuant to adjournment, Lieutenant Governor Inzer presiding.

PRAYER

The session was opened with prayer by Rev. M. Cecil Perryman, Pastor, Cloverdale Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Cooper	Hooton	Owens
Allen	Fite	Howle	Patterson
Barrett	Gaither	Hughes	Patton
Boutwell	Glover	Kendall	Perry
Bridges	Golson	Kimbrell	Quarles
Burnside	Gulledge	Lamberth	Russell
Cater	Hardwick	Langan	Summerlin
Clayton	Harvey	Lowe	Swift
Coleman	Henderson	Mize	Wright

JOURNAL

On motion of Mr. Hooton, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 103. To amend Section 17 of Title 23 of the Code of Alabama (1940), which relates to agreements with other states as to bridges across rivers or streams forming the boundary of the State of Alabama.

Also:

S. 110. To Amend Section 370, Title 7, of the Alabama Code of 1940, the Section commonly referred to as "The Newspaper Privilege" Law.

Also:

S. 468. To provide for the government and control by Civil Service regulations of certain employees and classes of employees of Tuscaloosa County, Alabama, and to provide for a Civil Service Board in said county and to fix its duties, authority, powers, and method of compensation.

Also:

S. 484. To provide for the alteration or rearrangement of the boundary lines of the City of Birmingham in Jefferson County, Alabama, so as to include within the corporate limits of said City of Birmingham the territory in said county now within the corporate limits of said City of Birmingham and the territory or territories in said county now within the corporate limits of the cities of Homewood, Mountain Brook, Tarrant City and Fairfield and the territory in said county now within the corporate limits of the town or city of Irondale and territory in said county now without the corporate limits of any city or town; and to provide for elections as a part of the provisions for such alteration or rearrangement.

Also:

S. 549. Relating to Houston County: To amend Act No. 315, S. 293, approved August 13, 1947, (Local Acts of Alabama, 1947, page 226) entitled "An Act to create and establish in Houston County, in lieu of the county court, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at

law and in equity, providing it with officers, regulating its procedure, and fixing the costs and charges collectable therein."

Also:

S. 553. To impose extra, new, and additional duties upon the Superintendent of Education of Chilton County, Alabama; to provide additional compensation for the performance of such duties; and to authorize the payment of reasonable expenses incurred by said superintendent of education in the performance of his official duties.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Patton:

S. B. 598. To amend Title 37, Section 667, of the 1940 Code of Alabama.

Committee on Municipalities and Municipal Organizations.

By Mr. Cater:

S. B. 599. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof.

Committee on Local Legislation.

By Mr. Cater (by request):

S. B. 600. To amend Section 94, Title 51, Code of Alabama 1940, as amended, which relates to the term of service and compensation for members of the county board of equalization, and to provide for a chairman.

Committee on Finance and Taxation.

By Mr. Cater (by request):

S. B. 601. To amend Section 97, Title 51, Code of Alabama 1940, which relates to the Inventory and appraisal of property in certain counties.

Committee on Finance and Taxation.

By Mr. Perry (with notice and proof):

S. B. 602. Relating to Marengo County: To divide the county into four forest-protection districts, creating the offices of Chief Forest Warden for the county and District Forest Warden for each district, prescribing the duties of such officers, fixing their compensation, and imposing such duties upon the President and members of the Board of Revenue ex officio.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF MARENGO

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Marengo County: To divide the county into four forest-protection districts, creating the offices of Chief Forest Warden for the county and District Forest Warden for each district, prescribing the duties of such officers, fixing their compensation, and imposing such duties upon the President and members of the Board of Revenue ex officio.

Be It Enacted by the Legislature of Alabama:

Section 1. Marengo County is hereby divided into four forest-protection districts, the boundaries of each of which shall coincide with the four districts from which members of the Board of Revenue are elected. There shall be a chief forest warden for the county who shall have the duty of requiring and supervising the enforcement of the provisions of Chapter 4 of Title 8 of the Code of Alabama (1940) in regard to the entire county. In addition, there shall be four district forest wardens, each of whom shall have the special duty of investigating and reporting, for his district, violations of Chapter 4 of Title 8 of the Code of Alabama (1940).

Section 2. The President of the Board of Revenue of Marengo County shall be, ex officio, chief forest warden for the county and the several members of the Board of Revenue of Marengo County shall be, ex officio, district forest wardens for their respective districts. For the performance of their duties as such, each shall be paid a salary of one hundred ten dollars (\$110) per month out of any funds in the county treasury not otherwise appropriated.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

7-7-4tp

July 28, 1949.

STATE OF ALABAMA
COUNTY OF MARENGO

The attached legal notice appeared in four consecutive issues—July 7-14-21-28, 1949—of The Demopolis Times, a newspaper published in Demopolis, Marengo County, Alabama.

B. G. GEORGE,
Publisher.

Sworn to and subscribed before me, a Notary Public, this 28th day of July, 1949.

JEROME M. LEVY,
Notary Public.

By Mr. Quarles:

S. B. 603. To fix the compensation of the members of the county governing body, exclusive of the judge of probate, in each county in the State having a population of not less than fifty two thousand and not more than sixty-three thousand, according to the last or any subsequent federal census; and to provide for the payment of the same.

Committee on Local Legislation.

By Mr. Boutwell:

S. B. 604. To amend Section 3, Section 7, and Section 8 of Senate Bill 365 of the local acts of the Legislature of Alabama, 1947, approved October 2, 1947, entitled "An Act to provide for collection of delinquent court costs and fees in Jefferson County".

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the Alabama Legislature at its present session for the enactment of a law of the following content:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3, Section 7 and Section 8 of Senate Bill 365, of the local acts of the Legislature of Alabama 1947, approved Oct. 2, 1947, entitled, "An act to provide for collection of delinquent court cost and fees in Jefferson County".

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of Senate Bill 365, of the local acts of the Legislature of Alabama 1947, approved October 2, 1947, entitled an act to provide for the collection of delinquent court cost and fees, be and the same is hereby amended to read as follows:

Section 3. That where in any case there is now court costs and fees delinquent within the meaning of the first section of this act, it shall be the duty of the Clerk of any Court or Register, within a reasonable time, to sever such delinquent court costs and fees from any judgment for damages and from such other costs or fees as may not be payable to or for the use of the County, and issue execution therefore which execution shall be directed to the License Inspector and placed in his hands for collection. That where in any case hereafter court costs and fees are delinquent within the meaning of the first section of this act, it shall be the duty of Clerk of any Court or Register subject to the same penalty of judgment summarily rendered for the benefit of Jefferson County as in other cases of judgment summarily rendered for the benefit of suitors in the courts as provided for in Section 602 and 606. Title 7 of 1940 Code of Alabama to within thirty days from the date that such court costs and fees are deemed delinquent, to sever such delinquent court costs and fees from any judgment for damages and from such other costs or fees as may not be payable to or for the use of the County, and issue execution therefor which execution shall be directed to the License Inspector and placed in his hands for collection. All such executions shall certify the total amount of the Court costs and fees in the case which are delinquent within the meaning of this act and separately the amount for which each party is taxable, but otherwise such delinquent court costs and fees need not be itemized in or on the execution. All such executions shall run against all parties liable to execution for such delinquent court costs and fees and shall authorize the License Inspector to enforce collection from any party of the amount shown by such execution to be payable by such party. No such execution shall be issued in any case where the judgment taxing such court costs and fees is dormant, but in such a case the Clerk or Register may certify the facts with respect to such delinquent court costs and fees to the License Inspector who may if he finds it advisable cause a suit at law to be instituted in the name of the County against any party deemed to be liable for all or any part thereof as upon an implied promise to pay the same, except where the judgment taxing such costs is barred by the statute of limitations.

Section 2. That Section 7 of said act be and the same is hereby amended so as to read as follows: Section 7. That all fees and commissions earned by the License Inspector for any services rendered by him in the discharge of the duties imposed upon him by this act shall be the property of Jefferson County and when collected shall be paid into the County treasury. The License Inspector shall not later than the tenth day of each calendar month pay into the County treasury all sums received by him up to and including the twenty-fifth day of the last preceding calendar month as collections on executions for delinquent court costs and fees together with all sums received by him during such preceding month as fees and commissions for services rendered in the enforcement of such executions. When the License Inspector has collected in full any execution for delinquent court costs and fees together with all sums received by him during such preceding month as fees and commissions for services rendered in the enforcement of such executions. When the License Inspector has collected in full any execution for delinquent court costs and fees he shall promptly certify such fact to the Clerk or Register of the court from which the execution issued, which certificate shall identify the execution and show the amount paid by each party, which payments shall be noted by the Clerk or Register on the fee book or other similar record where the fees and costs for which such

execution was issued are charged, and the License Inspector shall mark satisfied on the probate records any such execution filed with the Probate Judge.

Section 3. That Section 8 of said act be and the same is hereby amended to read as follows: Section 8. There is hereby created and established the position of Chief Deputy License Inspector to be appointed by the County Commission or other governing body of Jefferson County, Alabama. Such person to be so appointed shall be selected from the personnel of said County in the classified service without competitive examination, and shall have had experience in the computation and collection of court costs, and must have knowledge of the affairs of the courts generally and especial familiarity with the way and manner in which court costs are charged and collected. The Chief Deputy License Inspector, together with the License Inspector shall be charged with the responsibility of performing and discharging the powers and duties imposed upon the License Inspector by this or any other act. The County Commission shall require the Chief Deputy License Inspector to enter into bond in such penalty as the Commission may prescribe conditioned to faithfully perform his duties and to account for all monies coming into his hands, the premium on such bond to be paid out of the general funds of the County. The position of Chief Deputy License Inspector hereby created shall be subject to the classified service and the provisions of the County-wide Civil service law in effect in said County. The salary of the Chief Deputy License Inspector shall be fixed by the County Commission or other governing body of Jefferson County, to be paid out of the County Treasury, as other County employees, and in accordance with existing Civil Service regulations.

Section 4. That no case in court shall be filed against or demand made of any successful defendant for payment of Court Costs or fees payable to or for the use of Jefferson County unless and until execution issued under and by virtue of this Act is returned to the clerk of the county issuing the execution as uncollectible.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law. Messenger—July 2-9-16-23, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 2, 9, 16, 23, 1949, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 23 day of July, 1949.

MALCOLM L. WHEELER,
Notary Public.

REPORTS OF COMMITTEES

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the

Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Harvey and Clayton:

S. 597. To provide additional compensation for the Secretary of the Senate and the Clerk of the House for the performance of the new, extra, and additional duties imposed upon them by Act No. 27, S. B. 30, approved May 31, 1949.

By Messrs. Snodgrass and Pruitt:

H. 899. To appropriate the sum of twenty-five thousand dollars (\$25,000) to the State Building Commission for the repair of the roof of the State Capitol Building.

By Messrs. Allen, Langan and Boutwell:

S. 588. To provide further for distributing the profits of state liquor stores; appropriating one million dollars of profits in excess of two million two hundred thousand dollars for each of the calendar years 1950 and 1951, to the State Board of Health for matching federal funds under the Hill-Burton Act.

By Messrs. Wright and Boutwell:

S. 578. To create and establish a collegiate School of Nursing at the University of Alabama to be known as "University of Alabama School of Nursing" and to provide for its organization, housing and equipment, operation, maintenance, ownership, management, and control and to make appropriations therefor from the General Fund or from any surplus fund created from the General Fund by the Legislature by whatever name called, or from funds not otherwise appropriated.

By Mr. Lowe:

S. 595. Relating to highways: Further regulating the use of state funds for highway purposes.

Mr. Owens, Chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Patterson:

S. 590. To amend Section 342 of Title 37 of the Code of Alabama (1940) which relates to the powers of municipalities in regard to the acquisition of public improvements, as amended by an Act approved June 14, 1949.

MOTION TO AMEND SENATE RULE 1 POSTPONED

Mr. Allen moved that further consideration of the motion of Messrs. Allen and Kendall to amend Senate Rule 1 be postponed until the next Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Harris:

H. 771. To revise Chapter 3 of Title 36 of the Code of Alabama (1940), which relates to motor vehicles and more particularly to the measurement of vehicles, loads on vehicles, certain equipment required of vehicles and regulations relative to the size and weight of vehicles, by amending Sections 78, 85, 87, and 88.

And ordered same sent forthwith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 771. To the Committee on Public Roads and Highways.

BILLS ON THIRD READING

The Bill:

H. 895. Abolishing the fine and forfeiture fund of Chambers County: providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Kimbrell	Patton
Allen	Harvey	Lowe	Russell
Bridges	Henderson	Mize	Summerlin
Coleman	Hooton	Owens	Swift
Cooper	Howle	Patterson	Wright
Fite	Hughes		

—21

Nays:

—0

The Bill:

H. 906. To fix the compensation or salary to be paid the tax assessor of Montgomery County, Alabama, and to regulate the payment of same, to provide for the selection of clerical help and other assistance to said officer and the manner of fixing their, compensation and paying the same, and to provide rules and regulations for the payment and conduct of such officer; and to

require said officer to pay into the county treasury of said county all costs, charges of court, fees and commissions authorized by law to be collected by said officer as other monies belonging to said county are paid, except any salary, fees or commissions paid said officer for assessing or collecting taxes for any municipality.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Hughes	Patton	
Bridges	Golson	Langan	Perry	
Burnside	Hardwick	Mize	Russell	
Cater	Henderson	Owens	Swift	
Clayton	Hooton	Patterson	Wright	
Coleman	Howle			—21

Nays: —0

The Bill:

S. 582. To fix the compensation of the Judge of Probate of Montgomery County, Alabama, and to regulate the payment of same, and to provide for clerical help and other assistance to said Judge of Probate, and the fixing of their compensation and paying the same, and to provide for ex-officio services and for other contingencies of said Judge of Probate, and to provide for an ex-officio clerk of the Board of Registrars, and to require the Judge of Probate to pay into the County Treasury of said County all costs and charges of Courts, fees and commissions authorized by law to be collected by said Judge of Probate as other moneys belonging to said county are paid.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kimbrell	Patton	
Allen	Gaither	Lowe	Perry	
Boutwell	Glover	Mize	Quarles	
Bridges	Hardwick	Owens	Swift	
Cater	Hooton	Patterson	Wright	
Cooper	Howle			—21

Nays: —0

The Bill:

S. 579. Relating to Conecuh County: To fix the compensation of members of the County Board of Education.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Langan	Quarles	
Boutwell	Gulledge	Mize	Russell	
Cater	Hooton	Patterson	Summerlin	
Cooper	Howle	Patton	Swift	
Fite	Hughes	Perry	Wright	
Gaither	Kendall			—21

Nays:

—0

The Bill:

S. 587. To authorize any and every city which may now or hereafter have a population of two hundred thousand or more inhabitants according to the last or any succeeding federal census to establish from time to time one or more park assessment districts within, or partly within and partly without, the corporate limits thereof and to provide or improve or provide and improve a public park within the corporate limits of such city in any such park assessment district and to assess all or any part of the cost of providing or improving or providing and improving such public park against all parcels of privately owned land in the park assessment district in which such public park is situated and which have been increased in value by reason of the special benefits derived from the provision or improvement or provision and improvement of such public park; to fix the rank of such assessment liens in relation to other liens; to provide for the collection and enforcement of such liens; to provide for the financing of the cost of providing or improving or providing and improving such public park; and to provide the manner in which such assessments and liens may be used in aid of such financing.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patton	
Allen	Gaither	Lamberth	Perry	
Barrett	Glover	Lowe	Quarles	
Boutwell	Hardwick	Owens	Russell	
Cater	Hooton	Patterson	Summerlin	
Cooper	Howle			—21

Nays:

—0

The Bill:

S. 584. To amend Section 612 of Title 62 of the Code of Alabama (1940), which relates to the salaries of members of the Commission Board of the City of Tuscaloosa, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Kimbrell	Patton	
Allen	Hardwick	Lowe	Perry	
Barrett	Henderson	Mize	Quarles	
Clayton	Howle	Owens	Swift	
Coleman	Hughes	Patterson	Wright	
Fite	Kendall			—21

Nays:

—0

The Bill:

S. 585. To amend Sections 2 and 9 of Act No. 228, H. 707, approved August 3, 1927 (Local Acts of Alabama, 1927, page 130) entitled "An Act To establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix, and define his duties and compensation; to establish methods of procedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualification and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the methods whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patterson	
Allen	Gaither	Kendall	Patton	
Barrett	Hardwick	Lowe	Perry	
Cater	Henderson	Mize	Swift	
Coleman	Hooton	Owens	Wright	
Cooper	Howle			—21

Nays:

—0

The Bill:

S. 586. To amend Section 1 of Act No. 73, H. 190, approved March 31, 1936 (Local Acts of Alabama, 1936 Extra Session, page 41) entitled "An Act To fix the compensation or salary to be paid the Clerk of the Circuit Court of Tuscaloosa County, Alabama, and to regulate the payment of the same: To provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Clerk of the Circuit Court of Tuscaloosa County, Alabama, and to require said Clerk of the Circuit Court to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay same into the county treasury of Tuscaloosa County, provided, however, that all witness fees, judgments and amounts collected by him, in civil and criminal cases, from whatsoever source, except fees, allowances, legal charges, costs and compensation payable to him as such clerk, shall be retained in the hands of said Clerk to be paid out and disbursed by him to proper persons or parties in the manner now or hereafter required by law; to provide for the payment of the salary or compensation of said Clerk of the Circuit Court of Tuscaloosa County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the conducting and operation of such office made necessary by changing the method and basis of compensation of such Clerk of the Circuit Court of Tuscaloosa County, and to prescribe when this act shall go into effect."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Langan	Quarles
Allen	Gulledge	Mize	Russell
Bridges	Henderson	Patterson	Summerlin
Coleman	Hooton	Patton	Swift
Cooper	Howle	Perry	Wright
Fite	Hughes		

—21

Nays:

—0

The Bill:

H. 888. To amend Section 1 of an Act entitled "To allow the Sheriff of Blount County, Alabama, an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy Sheriff and to make the same payable out of the general fund of Blount County in monthly installments," approved September 6, 1935.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Harvey	Lamberth	Quarles	
Bridges	Henderson	Mize	Russell	
Cater	Howle	Patterson	Summerlin	
Cooper	Hughes	Patton	Swift	
Fite	Kendall	Perry	Wright	
Gulledge	Kimbrell			—21

Nays: —0

The Bill:

H. 889. To amend Section 1 of an Act entitled "To prescribe the salary and the amount of payment of the jailer of Blount County," approved June 3, 1943.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Lowe	Quarles	
Barrett	Harvey	Mize	Russell	
Boutwell	Henderson	Patterson	Summerlin	
Cooper	Hooton	Patton	Swift	
Fite	Howle	Perry	Wright	
Gaither	Kimbrell			—21

Nays: —0

The Bill:

H. 890. To amend Section 1 of an Act entitled "To prescribe the salary and amount of payment of the same of the Chief Deputy Sheriff of Blount County," approved June 3, 1943.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patton	
Barrett	Gaither	Kendall	Perry	
Cater	Hardwick	Lamberth	Summerlin	
Clayton	Harvey	Mize	Swift	
Coleman	Henderson	Patterson	Wright	
Cooper	Howle			—21

Nays: —0

The Bill:

H. 892. To amend Section 68 of Title 52 of the Code of Alabama (1940), which relates to the compensation of members of the county board of education.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cater	Howle	Mize	
Allen	Clayton	Hughes	Patterson	
Barrett	Coleman	Kendall	Patton	
Boutwell	Fite	Lamberth	Perry	
Bridges	Gulledge	Langan	Russell	
Burnside	Hardwick	Lowe	Summerlin	—23

Nays:

—0

The Bill:

S. 567. To amend Section 72 of Title 37 of the Code of Alabama (1940), which relates to filling vacancies on city commissions.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 28; Nays 0.

Yeas:

Messrs.:	Cooper	Henderson	Lowe	
Allen	Fite	Howle	Mize	
Barrett	Gaither	Hughes	Owens	
Boutwell	Glover	Kendall	Patterson	
Burnside	Gulledge	Kimbrell	Perry	
Cater	Hardwick	Lamberth	Russell	
Clayton	Harvey	Langan	Summerlin	—28
Coleman				

Nays:

—0

The Bill:

H. 831. To extend the boundary lines of the Town of Daphne, in Baldwin County, Alabama, so as to include in the territory of the said corporation of the Town of Daphne, in addition to the territory now embraced therein, the following described lands, to-wit: Beginning at the Northeast corner of Section 17, Township 5 South, Range 2 East, Baldwin County, Alabama, run thence South along the East line of Sections 17 and 20 to the Southeast corner of Section 20, Township 5 South, Range 2 East, thence West to the half section post on the South line of Section 20, being the Southeast corner of the present corporate limits of the Town of Daphne, thence North along the center line of said Sections 20 and 17, which is the East boundary line of the corporate limits of the Town of Daphne, to the half section post on the North line of said Section 17, which is the Northeast corner of the corporate limits of the Town of Daphne, thence East along North line of said Section 17, to the point of beginning, the lands added to the

corporate limits of the Town of Daphne by this Act being the East half of Section 17 and the East half of Section 20, Township 5 South, Range 2 East, Baldwin County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kimbrell	Patton	
Allen	Gaither	Lowe	Perry	
Barrett	Harvey	Mize	Quarles	
Burnside	Henderson	Owens	Russell	
Coleman	Hooton	Patterson	Swift	
Cooper	Howle			—21

Nays: —0

The Bill:

H. 839. To provide for the designation and appointment by the Court of County Commissioners of one or more banks as depository for the county funds of Henry County, to prescribe the time and method of selection of said depository or depositories, and to provide for security of said county funds to be given by said bank or banks.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Mize	Quarles	
Boutwell	Hardwick	Owens	Russell	
Burnside	Howle	Patterson	Summerlin	
Cooper	Hughes	Patton	Swift	
Fite	Langan	Perry	Wright	
Gaither	Lowe			—21

Nays: —0

The Bill:

H. 883. Relating to Etowah County: Authorizing and requiring the governing body of Etowah County to provide equipment, supplies, clerks, deputies and other assistants for certain county officers and offices; providing that such county officials shall select, fix the compensation of, and have the right to discharge their respective clerks, deputies and assistants; providing that the maximum amount of the combined salaries of clerks, deputies and assistants in each of such offices shall be determined by the county governing body; and providing that the salaries and compensation provided under the provisions hereof shall be in lieu of all other compensation.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Perry	
Allen	Glover	Kimbrell	Quarles	
Barrett	Hardwick	Mize	Summerlin	
Bridges	Hooton	Patterson	Swift	
Cater	Howle	Patton	Wright	
Cooper	Hughes			—21

Nays: —0

The Bill:

H. 887. To propose an amendment to the Constitution relating to the levy and collection of a special property tax for public school purposes in St. Clair County.

Was read a third time at length as required by the Constitution and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Gaither	Hooton	Patterson	
Allen	Glover	Hughes	Patton	
Barrett	Golson	Kendall	Perry	
Boutwell	Gulledge	Kimbrell	Quarles	
Burnside	Hardwick	Lowe	Russell	
Cater	Harvey	Mize	Summerlin	
Clayton	Henderson	Owens	Swift	
Coleman				—28

Nays: —0

The Bill:

H. 870. To repeal An Act entitled An Act, to authorize and empower the governing body of all counties in this State, having a population of not less than 140,000 nor more than 400,000, to levy and collect an excise tax on cigarettes, prescribe the rate thereof; to authorize the governing body of such counties to prescribe the method and provide for the collection of such tax, and to provide for the disposition of revenues derived therefrom, being Act No. 413 of the 1943 session of the Legislature of Alabama, approved July 8, 1943, General Acts of Alabama, 1943, page 378.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Lamberth	Patterson	
Allen	Glover	Langen	Patton	
Barrett	Golson	Lowe	Summerlin	
Cater	Henderson	Mize	Swift	
Coleman	Howle	Owens	Wright	
Fite	Hughes			—21

Nays: —0

The Bill:

H. 841. To authorize the Board of Revenue and Road Commissioners of Mobile County, Alabama, to purchase such uniforms as said Board of Revenue and Road Commissioners may deem necessary for the use of the uniformed personnel, deputies and other employees of the Sheriff of Mobile County, Alabama, or the Sheriff's Department of Mobile County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Lamberth	Patterson	
Allen	Gaither	Langan	Patton	
Bridges	Golson	Lowe	Summerlin	
Cater	Henderson	Mize	Swift	
Coleman	Hooton	Owens	Wright	
Cooper	Kimbrell			—21

Nays: —0

The Bill:

H. 840. To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Langan	Patton	
Allen	Golson	Lowe	Russell	
Boutwell	Harvey	Mize	Summerlin	
Clayton	Howle	Owens	Swift	
Fite	Hughes	Patterson	Wright	
Gaither	Lamberth			—21

Nays: —0

The Bill:

S. 267. To amend Section 24, Title 42 of the 1940 Code of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 26; Nays 0.

Yeas:

Messrs.:	Gaither	Hughes	Patterson	
Barrett	Gulledge	Kendall	Patton	
Boutwell	Hardwick	Kimbrell	Perry	
Burnside	Harvey	Lamberth	Quarles	
Cater	Henderson	Lowe	Russell	
Clayton	Hooton	Mize	Swift	
Coleman	Howle	Owens		—26

Nays:

—0

The Bill:

H. 832. For the relief of E. F. Stuart by the payment to him of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for damages to the said E. F. Stuart, on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said E. F. Stuart has no recourse at law.

was taken up.

Mr. Swift offered the following amendment to the bill, to-wit:

Amend House Bill 832 by amending the enacting clause to read as follows:

Be It Enacted by the Legislature of Alabama

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Lowe	Quarles	
Allen	Hardwick	Owens	Russell	
Bridges	Hooton	Patterson	Summerlin	
Clayton	Howle	Patton	Swift	
Cooper	Hughes	Perry	Wright	
Fite	Lamberth			—21

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Lowe	Quarles	
Allen	Glover	Owens	Russell	
Barrett	Henderson	Patterson	Summerlin	
Bridges	Howle	Patton	Swift	
Cater	Hughes	Perry	Wright	
Fite	Kendall			—21

Nays:

—0

The Bill:

H. 833. For the relief of Lloyd Martin by the payment to him of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for damages to the said Lloyd Martin, on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Lloyd Martin has no recourse at law.

was taken up.

Mr. Swift offered the following amendment to the bill, to-wit:

Amend House Bill 833 by amending the enacting clause to read as follows:

Be It Enacted by the Legislature of Alabama

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Lowe	Quarles	
Allen	Glover	Mize	Russell	
Boutwell	Golson	Owens	Summerlin	
Burnside	Gulledge	Patterson	Swift	
Clayton	Howle	Patton	Wright	
Fite	Kendall			—21

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Mize	Quarles	
Barrett	Harvey	Owens	Russell	
Burnside	Hooton	Patterson	Summerlin	
Cooper	Howle	Patton	Swift	
Fite	Kimbrell	Perry	Wright	
Gaither	Lowe			—21

Nays:

—0

The Bill:

H. 830. To authorize the governing body of Baldwin County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from

storage, for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for enforcement of this act and fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of the said tax.

was taken up.

Mr. Swift offered the following amendment to the bill, to-wit:

AMENDMENT TO H. B. 830

Amend Section 1, of H. B. 830 by striking out the following words as they appear beginning in the third line of this Bill: "Provided that nothing contained in this Act shall apply to those products commonly known as 'kerosene oil', 'fuel oil', and 'crude oil' used for lighting or heating purposes" and substitute the following words: "Provided, however, that nothing in this Act shall be held to apply to those products known commercially as 'kerosene oil', 'fuel oil', 'crude oil' commonly used for lighting, heating or industrial purposes."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Mize	Quarles	
Barrett	Hardwick	Owens	Russell	
Bridges	Howle	Patterson	Summerlin	
Cater	Kimbrell	Patton	Swift	
Coleman	Langan	Perry	Wright	
Fite	Lowe			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Langan	Patton	
Allen	Hardwick	Lowe	Russell	
Boutwell	Hooton	Mize	Summerlin	
Clayton	Howle	Owens	Swift	
Cooper	Hughes	Patterson	Wright	
Fite	Lamberth			—21

Nays: —0

The Bill:

S. 550. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department, in all counties in this State which may now have or which hereafter have a population of 110,000 people and less than 130,000 people according to the last Federal Census or any census which may hereafter be taken.

was taken up.

The Standing Committee on Local Legislation reported the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 550

A BILL
TO BE ENTITLED
AN ACT

To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 100,000, and not exceeding 140,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

Be It Enacted by the Legislature of Alabama:

Section 1. That this act shall apply to and have application in all counties in this State having a population exceeding 100,000, and not exceeding 140,000 inhabitants, according to the latest Federal Decennial Census, or which shall hereafter have such population according to any Federal Decennial Census, that may hereafter be taken, and to all incorporated municipalities now or hereafter existing in such counties.

Section 2. That in all such counties and municipalities the proportion of contribution to be made to any budget of a county health department as between such counties and incorporated municipalities therein shall be determined by the following formula, to-wit: Add to the total population within the boundaries of any such county the total population within the boundaries of all incorporated municipalities within such county, to arrive at a common denominator, and such county shall contribute the proportion of such budget that the total population within its boundaries bears to said common denominator, and each incorporated municipality in such county shall contribute the proportion of said budget that the total population within its boundaries bears to said common denominator. The population to be used in said formula shall be the population of such counties and municipalities according to the most recent Federal Decennial Cen-

sus. The following is an example of the application of said formula: Assume that the County of "A" has a population of 140,000, the City of "B" a population of 100,000, and the City of "C" a population of 10,000. The common denominator, therefore, would be 250,000, and the proportionate contribution to the county health department by each governmental unit would be as follows: County of "A", fourteen-twenty-fifths (14/25), City of "B", ten-twenty-fifths (10/25), and City of "C", one-twenty-fifth (1/25). If the annual budget of the county health department to be apportioned between the County of "A" and the Cities of "B" and "C" is \$100,000, the County of "A" would contribute fourteen-twenty-fifths (14/25) of \$100,000, or \$56,000, the City of "B" would contribute ten-twenty-fifths (10/25) of \$100,000, or \$40,000, and the City of "C" would contribute one-twenty-fifth (1/25) of \$100,000, or \$4,000.

Section 3. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Section 4. This act shall become effective upon its passage and approval by the Governor or its otherwise becoming law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patton	
Allen	Gaither	Kendall	Perry	
Barrett	Glover	Langan	Quarles	
Boutwell	Golson	Owens	Russell	
Cater	Harvey	Patterson	Summerlin	
Clayton	Howle			—21

Nays: —0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Patton	
Allen	Cooper	Howle	Perry	
Barrett	Fite	Kimbrell	Summerlin	
Burnside	Gaither	Lowe	Swift	
Cater	Glover	Patterson	Wright	
Clayton	Henderson			—21

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

By Mr. Mize:

S. 536. To make additional provisions respecting the election of members of the board of directors of any public corporation hereafter organized for hospital purposes under the provisions of Act No. 46 adopted at the 1949 session of the Legislature of Alabama in each county having a population of more than 73,000 inhabitants and not more than 113,000 inhabitants according to the last or any subsequent Federal census.

Also:

By Mr. Mize:

S. 538. To impose extra, new and additional duties upon the Solicitor of the Sixth Judicial Circuit of Alabama; to provide additional compensation for said Solicitor for the performance of the extra, new and additional duties hereby imposed upon him; and to provide for the payment of such additional compensation by Tuscaloosa County.

Also:

By Mr. Mize:

S. 558. Relating to Tuscaloosa County: To provide further for the salaries and compensation of clerks, deputies and assistants to the Judge of Probate of Tuscaloosa County, Alabama.

Also:

By Mr. Mize:

S. 559. To amend Section 2 of Act No. 93, S. 127, approved April 7, 1936 (Local Acts of Alabama, Extra Session 1936, page 53) entitled "An Act To regulate the office of the sheriff of Tuscaloosa County, Alabama; to exempt the sheriff of said county from court costs; to fix the compensation or salary to be paid the sheriff of Tuscaloosa County, Alabama, and to regulate the payment of the same; to fix the number and compensation of the sheriff's deputies, guards, jailers, and other employees of the sheriff; to require the deputy sheriffs and special deputy sheriffs of said sheriff to execute official bonds conditioned, payable and approved as the bond of the sheriff; to exempt the sheriff of said County from liability for the acts of the deputies, except in certain cases; to provide for the appointment and compensation of special deputies; to provide for the payment of the premium on the sheriff's and all deputies' bonds out of the County Treasury; to provide that all fees, charges and commissions taxable and collected as sheriff's fees, charges or commissions be paid into the County Treasury, including fees for feeding prisoners, to be paid into the general fund of said County; to provide for the payment of the expenses of the office of said sheriff, including the costs of supplying and maintaining automobiles used by said sheriff in his official business, and authorizing the Board of Revenue to appropriate the necessary money for such expenses, and to regulate the expenditure of same; authorizing the sheriff of said County to employ an attorney to advise and represent him, whose compensation is to be fixed by the Board of Revenue and paid out of the County Treasury; abolishing in so far as it relates to Tuscaloosa County, Alabama, sheriff's fees provided for in Section 6717 of the Code of Alabama, 1923, and providing that the sheriff of said county shall furnish bailiffs required in Section 6716 of the Code of Alabama, 1923; to provide that said County shall not be liable for the acts or omissions of said sheriff or any of his deputies, guards, jailers or other employees; to repeal all laws and parts of laws, which, as applied to Tuscaloosa County, Alabama, are in conflict with the provisions of said Act; and providing when and how said Act shall become effective."

Also:

By Mr. Mize:

S. 560. To amend Section 1 of Act No. 129, H. 525, approved June 12, 1935 (Local Acts of Alabama, 1935, page 62) entitled "An Act To fix the compensation or salary to be paid the Judge of Probate of Tuscaloosa County, Alabama, and to regulate the payment of the same; To provide for the compensation of clerks, deputies, clerical assistants and other expenses in the Probate Office of Tuscaloosa County, Alabama, and to require said Judge of Probate to collect all the fees, compensation and allowances heretofore or hereafter collected by said Judge of Probate, and to pay same into the county treasury of Tuscaloosa County; To provide for the payment of the salary or compensation of said Judge of Probate and the clerks, deputies and other clerical assistants, and other office expenses, out of the funds of Tuscaloosa County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Judge of Probate, and to prescribe when this act shall go into effect."

Also:

By Mr. Mize:

S. 561. Relating to Tuscaloosa County: To provide further for the salaries or compensation of the clerks, deputies and assistants to the Circuit Clerk of Tuscaloosa County, Alabama.

Also:

By Mr. Mize:

S. 562. Relating to Tuscaloosa County: To authorize the employment of a stenographic secretary by the Circuit Solicitor of Tuscaloosa County, and authorizing the payment of the salary of such stenographic secretary out of the treasury of Tuscaloosa County.

Also:

By Mr. Mize:

S. 563. To amend Section 1 of Act No. 128, H. 524, approved June 12, 1935 (Local Acts of Alabama, 1935, page 61) entitled "An Act To fix the compensation or salary to be paid the Tax Assessor of Tuscaloosa County, Alabama, and to regulate the payment of the same: To provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Assessor of Tuscaloosa County, Alabama, and to require said Tax Assessor to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay same into the county treasury of Tuscaloosa County; To provide for the payment of the salary or compensation of said Tax Assessor of Tuscaloosa County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of said Tax Assessor, and to prescribe when this act shall go into effect."

Also:

By Mr. Mize:

S. 566. Relating to Tuscaloosa County: To provide further for the salaries and compensation of the clerks, deputies and assistants to the Tax Collector of Tuscaloosa County, Alabama.

Also:

By Mr. Mize:

S. 564. Relating to Tuscaloosa County: To provide further for the salaries and compensation of clerks, deputies and assistants to the Tax Assessor of Tuscaloosa County, Alabama.

Also:

By Mr. Mize:

S. 565. To amend Section 1 of Act No. 130, H. 526, approved June 12, 1935 (Local Acts of Alabama, 1935, page 64) entitled "An Act To fix the compensation or salary to be paid the Tax Collector of Tuscaloosa County, Alabama, and to regulate the payment of the same; To provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Tax Collector of Tuscaloosa County, Alabama, and to require said Tax Collector to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay same into the county treasury of Tuscaloosa County; To provide for the payment of the salary or compensation of said Tax Collector of Tuscaloosa County, and the clerks, deputies and other clerical assistants, and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the management and operation of such office made necessary by changing the method and basis of compensation of such Tax Collector, and to prescribe when this act shall go into effect."

Also:

By Mr. Hughes:

S. 556. To authorize and direct the governing body of Geneva County to pay the salary of an additional clerk or deputy for the Sheriff of the County.

Also:

By Mr. Hughes:

S. 555. Supplemental to Act No. 538, H. 1009, approved September 16, 1939 (Local Acts of Alabama, 1939, page 329), as amended, which establishes the Inferior Court of Geneva County: To increase the jurisdiction of the Court and to increase the compensation of the judge of the Court for the performance of the additional duties resulting therefrom.

Also:

By Mr. Langan:

S. 521. To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 738. To authorize and direct the governing body of Geneva County to pay the salaries of additional clerks for the Tax Assessor and Tax Collector of the County.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a

two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Shelton and Callahan:

H. 691. To provide for the dissolution of Druid City Hospital Board, created by Act No. 540 adopted at the 1947 Regular Session of the Legislature; and to provide for the disposal of funds and property now owned by said board.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to introduce in the 1949 Regular Session of the Legislature of Alabama and to apply for the passage of a local law applicable to Tuscaloosa County, Alabama, which shall be substantially as follows, except that the blank space contained therein shall be filled in with the number of the act resulting from the enactment of Senate Bill No. 154 or House Bill No. 157, whichever may be enacted into law, both of which bills have been introduced and are now pending in the 1949 Regular Session of the Legislature of Alabama:

A BILL TO BE ENTITLED AN ACT

To provide for the dissolution of Druid City Hospital Board, created by Act. No. 540 adopted at the 1947 Regular Session of the Legislature; and to provide for the disposal of funds and property now owned by said board.

Be It Enacted by the Legislature of Alabama:

Section 1. Druid City Hospital Board, an agency of Tuscaloosa County and the City of Tuscaloosa created by Act No. 540 adopted at the 1947 Regular Session of the Legislature, is hereby dissolved. The members of said Druid City Hospital Board are hereby constituted trustees in dissolution of all the property, real, personal and mixed, of said agency.

Section 2. The trustees in dissolution of Druid City Hospital Board, after making provision for any outstanding debts and obligations of said agency, shall forthwith pay over all moneys belonging to said agency to the public corporation that may be organized in Tuscaloosa County under Act No. _____ adopted at the 1949 Regular Session of the Legislature and shall by appropriate deed, and bill of sale convey, assign, transfer, and deliver to said corporation all real and other property of every kind belonging to said agency.

GEORGE A. LeMAISTRE,
Chairman,
Druid City Hospital Board.

May 26, June 2, 9, 16-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 26, 1949, June 2, 1949, June 9, 1949, and June 16, 1949, all in the year 1949.

BUFORD BOONE.

Sworn to and subscribed before me June 16, 1949.

LILLA COLLINS,
Notary Public.

Also:

By Messrs. Shelton and Callahan:

H. 692. To amend Section 8 of Act No. 424 adopted at the 1947 Regular Session of the Legislature; to provide for the disposition of the revenues from the taxes levied under said act; and to provide for the termination under certain conditions of the levy of taxes made in said act.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to introduce in the 1949 Regular Session of the Legislature of Alabama and to apply for the passage of a local law applicable to Tuscaloosa County, Alabama, which shall be substantially as follows, except that the blank space contained therein shall be filled in with the number of the act resulting from the enactment of Senate Bill No. 154 or House Bill No. 157, whichever may be enacted into law, both of which bills have been introduced and are now pending in the 1949 Regular Session of the Legislature of Alabama:

A BILL TO BE ENTITLED AN ACT

To amend Section 8 of Act. No. 424 adopted at the 1947 Regular Session of the Legislature; to provide for the disposition of the revenues from the taxes levied under said act; and to provide for the termination under certain conditions of the levy of taxes made in said act.

Be It Enacted by the Legislature of Alabama:

Section 8 of Act. No. 424 adopted at the 1947 Regular Session of the Legislature is hereby amended to read as follows:

Section 8. All revenues arising from the taxes herein levied shall be paid over by said Judge of Probate, as received by him, to the public corporation that may be organized in Tuscaloosa County, Alabama, under the provisions of Act. No. _____ adopted at the 1949 Regular Session of the Legislature of Alabama. Said tax revenues shall be used and may be pledged by said corporation for any of its corporate purposes including the construction, equipment, operation, and maintenance of a public hospital or hospitals and related facilities, and including the payment of the principal of and interest on any obligations which may be incurred for said purposes or any of them; provided, however, that not exceeding eighty per centum (80%) of the said tax revenue collected during any calendar month may be pledged by said corporation for the payment of the principal of and the interest on its securities that may be issued for the purpose of financing the construction and equipment of a public hospital or hospitals and related facilities. The levy of the taxes herein provided for shall terminate at the end of the month during which the

tax revenues pledged for the benefit of securities of said corporation shall have been collected in an amount sufficient to pay in full the principal of and interest on the securities of the corporation then outstanding for the benefit of which said revenues shall have been pledged.

GEORGE A. LeMAISTRE,
Chairman,
Druid City Hospital Board.

May 26, June 2, 9, 16-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 26, June 2, June 9, and June 16, all in the year 1949.

BUFORD BOONE.

Sworn to and subscribed before me June 16, 1949.

LILLA COLLINS,
Notary Public.

Also:

By Messrs. Callahan and Shelton:

H. 915. To make additional provisions respecting the election of members of the board of directors of any public corporation hereafter organized for hospital purposes under the provisions of Act No. 46 adopted at the 1949 session of the Legislature of Alabama in each county having a population of more than 73,000 inhabitants and not more than 113,000 inhabitants according to the last or any subsequent Federal census.

Also:

By Messrs. Gillis and Tucker:

H. 721. To create the office of county solicitor of Clarke County, Alabama; to fix the qualifications of the county solicitor of such county; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of intention to apply for the passage of a local law for Clarke County, Alabama, at the next session of the Legislature of Alabama, which convenes on May 3, 1949, which local law reads as follows:

A BILL TO BE ENTITLED AN ACT

To create the office of county solicitor of Clarke County, Alabama; to fix the qualifications of the county solicitor of such county; to provide for his election, term of office, and the method of appointment in the

event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

Be It Enacted by the Legislature of Alabama:

Section 1. That there is hereby created the office of county solicitor of Clarke County, Alabama.

Section 2. That the county solicitor shall be a person learned in the law who has been admitted to practice law in the State of Alabama and is a qualified elector of Clarke County. The county solicitor shall, during his term of office, maintain an office at the county seat of Clarke County.

Section 3. That the first county solicitor of Clarke County shall be William A. Gillaspie, and he shall hold office until midnight of the first Monday after the second Tuesday in January, 1951. His successor shall be elected by the qualified electors of Clarke County at the general election to be held on the first Tuesday after the first Monday in November, 1950, and every four years thereafter, and he shall hold office for a term of four years from the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified.

Section 4. That in the event of a vacancy in the office of county solicitor of Clarke County from any cause, it shall be the duty of the judge of probate of the county to notify the circuit solicitor of the judicial circuit in which Clarke County is located, and the vacancy shall be filled by appointment of such circuit solicitor. The person appointed to fill such vacancy shall hold office until the next general election for any state officer held at least six months after the vacancy occurs, and until his successor is elected and qualified. His successor shall be chosen at such election and shall hold office for the unexpired term, and until his successor is elected and qualified.

Section 5. That it shall be the duty of the county solicitor of Clarke County to represent the State of Alabama in all criminal cases in the Inferior Court of the county, in all preliminary proceedings, in all applications for bail, in all habeas corpus proceedings, in all other criminal proceedings in the county requiring the services of a prosecuting attorney, and in all cases in the juvenile court of the county; to attend coroner's inquests; to examine witnesses and select such witnesses as in his judgment should be and appear before the courts of the county in preliminary proceedings, applications for bail, or habeas corpus proceedings, and before the grand jury of the county; to aid and act for the circuit solicitor of the judicial circuit in which Clarke County is located before the grand jury and in all matters in the circuit court of the county when requested to do so by the circuit solicitor; to perform all of the duties of such circuit solicitor in his absence when called upon to do so by the county governing body of Clarke County, to represent Clarke County in all litigation in which it is engaged, and to perform such other duties as may be required by law. The county solicitor shall have all the powers and shall perform all the duties which are now or which may hereafter be conferred on or imposed upon deputy solicitors in this State. He shall not represent or defend as attorney any defendant in any criminal case in any court of the State of Alabama or the United States.

Section 6. That the county solicitor of Clarke County shall receive a salary of \$2,400.00 per annum to be paid out of the general fund of the county in twelve equal installments in the same manner as the salary of the deputy solicitor of the county was paid prior to the abolishment of the office of deputy solicitor in said county.

Section 7. That the county governing body of Clarke County is authorized to furnish the county solicitor of Clarke County with adequate office space, and to provide him with such equipment and supplies, in-

cluding office furniture, telephone, typewriter, stationery and stamps, as are necessary for the proper and efficient discharge of the duties of his office.

Section 8. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby expressly repealed.

Section 9. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law. 4-27. 5-4,11,18.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLARKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Earl L. Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Thomasville Times, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 27, May 4, May 11, and May 18, all in the year 1949.

EARL L. TUCKER.

Sworn to and subscribed before me May 27, 1949.

ERNESTINE H. DRINKARD,
Notary Public.

By Messrs. Gillis and Tucker:

H. 722. To abolish the office of deputy solicitor in Clarke County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of intention to apply for the passage of a local law for Clarke County, Alabama, at the next session of the Legislature of Alabama, which convenes on May 3, 1949, which local law reads as follows:

A BILL TO BE ENTITLED AN ACT

To abolish the office of deputy solicitor in Clarke County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the office of deputy solicitor in Clarke County, Alabama, be and the same is hereby abolished.

Section 2. That all laws and parts of laws in conflict with the provision of this Act be and the same are hereby expressly repealed.

Section 3. That this Act shall become effective immediately after its passage and approval by the Governor or its otherwise becoming a law. 4-27. 5-4,11,18.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLARKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Earl L. Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Thomasville Times, a newspaper of gen-

eral circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 27, May 4, May 11, and May 18, all in the year 1949.

EARL L. TUCKER.

Sworn to and subscribed before me May 27, 1949.

ERNESTINE H. DRINKARD.
Notary Public.

Also:

By Messrs. Kaul, Dumas, Beatty, Gibson, Meeks and Sadler:

H. 920. To amend Section 797, Title 37 of the 1940 Code of the State of Alabama.

Also:

By Messrs. Meeks, Dumas, Beatty, Gibson, Sadler and Kaul:

H. 921. To amend Sections 1 and 4 of Act No. 344, of the Session of the Legislature of Alabama of 1947 (General Acts of Alabama of 1947, p. 217-222), approved August 15, 1947, as heretofore amended by Act No. 649, of the Session of the Legislature of Alabama of 1947 (General Acts of Alabama of 1947, p. 501-502), approved October 9, 1947, and Section 6 of said Act 344.

Also:

By Mr. Bennett:

H. 944. To establish for the City of Anniston a Policemen's and Firemen's Retirement Fund; providing for the resources, management, and administration of the Fund and for the transfer of all moneys or property of any similar fund to it; creating a Board of Trustees of the Policemen's and Firemen's Retirement Fund and providing for its organization, powers, duties, and functions; providing for the retirement of and payment of benefits to members of the police and fire departments and their dependents and survivors; providing for the payment of disability benefits to disabled members of the police and fire departments; providing for appeals from final decisions of the Board of Trustees; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
CALHOUN COUNTY

Notice is hereby given that a bill, substantially as follows, will be introduced in the 1949 regular session of the Legislature of Alabama, and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish for the City of Anniston a Policemen's and Firemen's Retirement Fund; providing for the resources, management, and administration of the Fund and for the transfer of all moneys or property of any similar fund to it; creating a Board of Trustees of the Policemen's and Firemen's Retirement Fund and providing for its organization, powers, duties, and functions; providing for the retirement of and payment of benefits to members of the police and fire departments and their dependents and survivors; providing for the payment of disability benefits to disabled member of the police and fire departments; providing for ap-

peals from final decisions of the Board of Trustees; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. That in and for the City of Anniston, Alabama, there is hereby created in connection with the regularly organized and paid police department and fire department of such city a "Board of Trustees of the Policemen's and Firemen's Retirement Fund," to be composed as hereinafter provided and to be selected as hereinafter provided and directed; and in said city there is created hereby a "Policemen's and Firemen's Retirement Fund," for the benefit of the persons hereinafter named, to be derived and raised in the manner hereinafter provided.

Section 2. The Board of Trustees of the Policemen's and Firemen's Retirement Fund shall be composed of three members, consisting of a member elected by the members of the Fire Department of the City of Anniston, Alabama, a member elected by the members of the Police Department of the City of Anniston, Alabama, and a member elected by the members of the Board of Commissioners, or other governing body of the City of Anniston, Alabama. Each member of said Board of Trustees shall serve at the will of the group electing him, and shall serve without compensation. Said Board of Trustees shall elect its own chairman.

Section 3. The Board of Trustees shall have the power and authority to appoint a secretary-treasurer of the Board, who shall serve at the pleasure of the Board and who shall receive as compensation for his services a sum not to exceed Twenty-Five Dollars (\$25.00) per month, to be paid on the first day of each month by warrant drawn in like manner as other warrants on such Fund are drawn. The secretary-treasurer of the Board of Trustees is hereby made, and it shall be his duty to be, the custodian of all moneys belonging to the Policemen's and Firemen's Retirement Fund; and all moneys belonging to the Fund, and all moneys or other property belonging to any similar fund now being maintained in such city, shall be paid promptly to him. The secretary-treasurer shall also be custodian of all securities and things of value belonging to the Fund. The secretary-treasurer shall, before taking office, make bond in a sum to be required and fixed from time to time by resolutions of the said Board of Trustees to be approved by the chairman of the Board of Trustees in a surety company authorized to do business in Alabama for the faithful performance of the duties imposed upon him under this Act and for the faithful accounting for all moneys, securities and things of value which may come into his hands as custodian of such Fund, of which he shall keep a separate account to show at all times the true condition of the Fund. The premium on the bond shall be paid by the Board of Trustees. Upon the resignation or removal from office of such secretary-treasurer, he shall surrender and deliver to his successor all bonds, securities and all unexpended moneys or other properties which may have come into his hands as custodian of the Fund. It shall be the duty of the secretary-treasurer of the Board to keep, in a book provided for that purpose, a full and complete record of all proceedings of the Board of Trustees; and he shall perform such other duties as may be assigned to him by the Board of Trustees.

Section 4. The Board of Trustees of the Policemen's and Firemen's Retirement Fund is declared hereby to be the trustee of said Fund and shall have the exclusive management and control thereof, and all matters legitimately connected therewith; and the Board of Trustees shall have the power to adopt and enforce such rules and regulations as may be necessary to enable it to carry effectively and properly into execution the purposes for which it was organized and to enable it to manage and conduct properly the business and affairs entrusted to it, but such rules and regulations shall in no wise contravene the provisions of this Act and shall be in conformity therewith. The Board of Trustees shall hear and

decide all applications for pensions or relief under this act and its decisions shall be final except for appeals as hereinafter provided. The Board of Trustees shall meet whenever the chairman thereof shall call a meeting. However, the said chairman is hereby required to call a meeting of said Board within ten days after the receipt of a claim or complaint hereunder.

Section 5. The Policemen's and Firemen's Retirement Fund shall consist of the following namely: (a) all of the money, securities and things of value belonging to any similar fund now being maintained in such city; (b) all moneys or properties that may be given or donated by any person, firm, association or corporation for the uses and purposes for which the Fund is created, and the Board may take, by gift, grant, devise or bequest, any money, personal property or real estate, or any interest therein or any right of property for the benefit of the Fund; (c) five per cent of the monthly salaries of each member of the police and fire departments, which shall be paid by the city clerk of such city to the secretary-treasurer of the Board of Trustees on the first day of each month, and said five per cent of such salaries shall be deducted from the salaries paid such members; (d) all reward money paid to any member of the police and fire departments shall be paid by the recipients of the same into the Fund promptly upon receipt; (e) all civil or criminal witness fees received by any member of the police and fire departments for attendance at or before any court or grand jury in the county in which such city is located shall be paid into the Fund promptly upon the receipt of such fees by the recipients of same; (f) each private public utility, qualified to do business under the laws of Alabama and selling electricity or electric current in Anniston shall annually, on or before the first day of March of each year, pay into the Policemen's and Firemen's Retirement Fund a sum equal to one per cent of the gross revenue of such private public utility from the sale of electricity or electric current within the corporate limits of such city during the preceding year; accompanying such tax payment by said private public utility there shall be filed with the secretary-treasurer a sworn statement by an officer or authorized agent of such private public utility showing the amount of the gross revenue received by such utility from the sale of electricity or electric current in such city during such preceding year; however, the sum equal to one per cent of the gross revenue of private public utilities selling electricity or electric current in such city derived from the sale of electricity or electric current therein, required by subdivision "(f)" of this section to be paid by such private public utilities into the Policemen's and Firemen's Retirement Fund, shall be treated and held to be a part of and shall be deducted from and offset against any privilege or license tax which the municipal corporation may by law impose upon a public utility engaged in the business of selling electricity or electric current within such city; (g) each private public utility qualified to do business under the laws of Alabama and selling natural gas in Anniston shall annually on or before the first day of March of each year pay into the Policemen's and Firemen's Retirement Fund a sum equal to one per cent of the gross revenue of such private public utility from the sale of natural gas within the corporate limits of such city during the preceding year; accompanying such tax payment by said private public utility, there shall be filed with the secretary-treasurer of the Board of Trustees a sworn statement by an officer or agent of such private public utility, showing the amount of the gross revenue received by such utility from the sale of natural gas in such city during the preceding year; however, the sum equal to one per cent of the gross revenue of private public utilities selling natural gas in such city derived from the sale of natural gas therein required by sub-division "(g)" of this section to be paid by such private public utilities into the Policemen's and Firemen's Retirement Fund shall be treated and held to be a part of, and shall be deducted

from and offset against any privilege or license tax which the municipal corporation may by law impose upon a public utility engaged in the business of selling natural gas within such city; (h) Each private public utility qualified to do business under the laws of Alabama and selling telephone service in Anniston shall annually, on or before the first day of March of each year, pay into the Policemen's and Firemen's Retirement Fund a sum equal to one per cent of the gross revenue of such private public utility from the sale of telephone service within the corporate limits of such city during the preceding year; accompanying such tax payment by such private public utility there shall be filed with the secretary-treasurer of the Board of Trustees a sworn statement by an officer or authorized agent of such private public utility showing the amount of the gross revenue received by such utility from the sale of telephone service in such city during the preceding year; however, the sum equal to one per cent of the gross revenue of the private public utility selling telephone service in such city derived from the sale of telephone service therein required by sub-division "(h)" of this section to be paid by such private public utility into the Policemen's and Firemen's Retirement Fund shall be treated and held to be a part of and shall be deducted from and offset against any privilege or license tax which the municipal corporation may by law impose upon a public utility engaged in the business of selling telephone service within such city; (i) Any private public utility violating the provisions of this Act shall forfeit to the Policemen's and Firemen's Retirement Fund the sum of \$1,000.00 to be recovered against such private public utility so violating said provisions by a suit brought in the name of said Board of Trustees of the Policemen's and Firemen's Retirement Fund.

Section 6. Existing funds and property belonging to or part of any existing similar fund in the City of Anniston, Alabama, shall be held, administered, used and governed by and transferred and converted into the Policemen's and Firemen's Retirement Fund in said city immediately upon the effective date of this Act.

Section 7. The Board of Trustees of the Policemen's and Firemen's Retirement Fund may, at any time after considering the probable demands upon the Fund in the near future, determine what portion thereof may be withdrawn safely for investment for revenue purposes; and, having determined what portion thereof shall be so withdrawn for that purpose, the Board of Trustees then shall determine in what manner such investment shall be made; and all proceedings of the Board of Trustees relating thereto shall be entered at length upon its records. Such investment shall be only by purchase of the interest bearing bonds of the United States of America, or the State of Alabama, or any bonds lawfully issued by city, or any bond, stock, security, investment or deposit which is guaranteed by the United States Government or any of its instrumentalities; however, not over twenty-five per cent of the Fund may be invested in the bonds of any such city. All income from such investments shall be and become a part of the Policemen's and Firemen's Retirement Fund. All such securities shall be deposited with the secretary-treasurer of the Board of Trustees and shall be subject to the management and control of the Board of Trustees of the Policemen's and Firemen's Retirement Fund.

Section 8. The Board of Trustees of the Policemen's and Firemen's Retirement Fund shall make a monthly report to the Board of Commissioners, or other governing body of the City of Anniston, Alabama, of the condition of the Policemen's and Firemen's Retirement Fund and shall cause an annual report to be published during the first week of January of each year in a newspaper published in such city and of general circulation therein.

Section 9. All moneys ordered to be paid from the Policemen's and Firemen's Retirement Fund shall be paid by the secretary-treasurer of

the Fund only upon warrants signed by the chairman of the Board of Trustees and countersigned by one associate member of the Board of Trustees and by the secretary-treasurer; and no warrant shall be drawn on the Fund except by order of the Board of Trustees, which shall be entered duly and regularly in the record of the proceedings of the Board of Trustees.

Section 10. No portion of the Policemen's and Firemen's Retirement Fund shall, before or after its order for distribution by the Board of Trustees to the person or persons entitled thereto under the provisions of this Act, be held, seized, taken, subjected to, detained or levied upon by virtue of any attachment, garnishment, execution, injunction, writ, order, decree, or any other process whatsoever issued out of or by any court of this State, for the payment or satisfaction, in whole or in part, of any debt, damage, demand, claim, judgment or decree against any beneficiary of the Fund, but shall be exempt therefrom so that the Fund shall be kept sacredly, held and distributed for the purposes named in this Act and for no other purposes whatsoever.

Section 11. If at any time there shall not be sufficient money in the Policemen's and Firemen's Retirement Fund to pay each person entitled to the benefit thereof the full amount per month as herein provided, then an equal percentage of such monthly payment or payments shall be made to each beneficiary until the Fund shall be replenished to warrant payment in full to each of the beneficiaries.

Section 12. Any member of the fire or police departments who has been in continuous service thereof for as long as twenty-five years, or has reached the age of fifty-five and has been in continuous service thereof for as long as twenty years, upon making written application to the Board of Trustees therefor, shall, without medical examination or disability be retired from service in such department; and upon such retirement, the Board of Trustees shall direct the payment to such retired member, monthly, from the Fund, the amount hereinafter provided for his particular position, office, salary, class or number of years of work.

Section 13. The Board of Trustees shall have the power and authority to and it is hereby made mandatory that it shall, retire from service in the police or fire departments any member thereof upon his attaining the age of sixty years without regard to the length of service of such member; and, upon such retirement, the Board of Trustees shall direct the payment to such retired member, monthly, from such Fund, the amount hereinafter provided for his particular position, office, salary, class or number of years of work. It is provided, however, that no member shall receive an amount in excess of sixty-five (65) per cent of the total compensation paid him during his years of service, unless he is disabled at the time of his retirement.

Section 14. If any member of the police or fire department becomes or is found to be physically or mentally permanently disabled for service in such police or fire department so as to render his retirement from such service necessary, the Board of Trustees shall retire such disabled member from service in such department, and, upon such retirement, the Board of Trustees shall order the payment to such disabled member, monthly, from such Fund, the amount hereinafter provided for this particular position, office, salary, class or number of years of work.

Section 15. All retirement pay provided for in this Act is and shall be fixed as stated in the following table of pensions, unless the pay is otherwise provided for in this Act, viz:

All firemen and patrolmen of a class up to and including those of the first class, shall, upon retirement as provided herein, receive sixty-five (65) per cent per month of the monthly salary being paid to active firemen and patrolmen of the same class; all higher salaried members of the police and fire departments, upon retirement as provided herein, shall receive sixty-five per cent per month of the regular monthly salary

being paid by active members of said departments in the same class; however, no pensioner shall receive over Twenty-Five Dollars (\$25.00) per month more than sixty-five per cent of the regular monthly wage of active members of the first class in their department. The monthly pay of all pensioners shall be based on the current salary of active members of their departments, subject to the limitations set out herein.

Section 16. After any member of such police or fire department shall have retired upon pension by reason of disability, the Board of Trustees shall have the right, at any time, to cause such retired member to be brought before it and examined by the City Physician or other competent physicians or surgeons, to be selected by it, and also to examine other witnesses for the purpose of discovering whether such disability yet continues and whether such retired member should be continued on the pension roll; but such retired member shall remain upon the pension roll until reinstated in the active service of such police or fire department. Such retired member shall be entitled to notice and to be present at the hearing of any such evidence, shall be permitted to propound any questions pertinent or relevant to such matter, and also shall have the right to introduce upon his own behalf any competent evidence he may see fit. All witnesses so produced shall be examined under oath; and any member of the Board of Trustees is authorized and empowered hereby to administer such oath to such witnesses.

Section 17. If any active or retired member of the police or fire department shall die from any cause whatever, leaving a widow, the Board shall direct the payment from the Fund, to said widow, of the sum of \$100.00. Should such deceased member leave no widow, but minor child or children, the Board shall direct the payment from the Fund, to the legal guardian of such minor child or children, of the sum of \$100.00 for the use and benefit of such minor child or children. Should such deceased member leave no widow or minor child or children, but a widowed mother, dependent upon him for support, the Board of Trustees shall direct the payment to said widowed mother of such deceased member, of the sum of \$100.00.

Section 18. If any active or retired member of such police or fire department shall die, leaving a surviving widow the Board shall direct the continuance of monthly pension payments to said surviving widow during the time she remains a widow, at the rate of thirty-five per cent of what the pension of her husband would be if he were living. Should such deceased, active or retired member leaves no widow, but a widowed mother who is dependent upon him for her chief support, the Board shall direct the continuance of monthly pension payments to such widowed mother, during the time she remains a widow, at the rate of thirty-five per cent of what the monthly pension of such deceased, active or retired member would be if he were living. If such deceased, active or retired member leaves a child or children under the age of eighteen years, the Board shall direct the continuance of monthly pension payments to the legal guardian of each such child until it becomes eighteen or dies, whichever is first, at the rate of ten per cent per month for each such child of what the monthly pension of such deceased, active or retired member would be if he were living; provided, however, that the aggregate payments under this section to the widow and minor children of a deceased, active or retired member, or to the widowed mother and minor children of a deceased, active or retired member, or to the minor children of a deceased, active or retired member, as the case may be, shall not exceed the amount which such deceased, active or retired member would receive if he were living; provided further that the amount payable under this section to a surviving widow or to a surviving dependent mother, as the case may be, shall not be reduced because of the number of children under the age of eighteen which may be left by such deceased, active or retired member.

Section 19. When the widow, or children, or widowed mother of an active or retired member of the police or fire department shall be entitled to benefits under this Act, such widow, or children, or widowed mother, shall make or cause to be made an application to the Board of Trustees through the secretary-treasurer, which shall show, in the case of the widow, proof of the marriage of the deceased to the claimant, by marriage certificate, or other competent evidence; and proof of the widowhood of the mother of such deceased member, and her dependency for support upon him, shall be shown by affidavit of such widowed mother, or disinterested persons; and the ages of such children shall be shown by birth certificates or other competent evidence. All such applications and proofs shall be kept and retained in the custody of the Board of Trustees.

Section 20. If any member of the police or fire department is discharged from such police or fire department, he shall forfeit all rights to such benefits as may be provided herein, and to any moneys that may have been paid into the Fund by or for him. If a member of the police or fire departments quits such police or fire department of his own volition before he has five years of service therein, he shall forfeit all rights to the benefits provided for herein and to any moneys that may have been paid into the Fund by or for him. However, if such fireman or policeman quits after completing five years of service in such police or fire department, he shall be entitled to receive from the Fund the money paid therein by deductions from his salary, less the amount of any benefits previously paid to him out of said Fund.

Section 21. There shall be kept by the secretary-treasurer of the Board of Trustees a book to be known as the List of Retired Policemen and Firemen. Such book shall give a full and complete history and record of the action of the Board of Trustees in retiring any and all persons under this Act, showing the names, date of entering the service of such fire or police department, date of retirement and the reason for such retirement.

Section 22. It shall be the duty of the City Attorney of such city to give advice to the Board of Trustees in all matters pertaining to the duties of the Board of Trustees and the management of the Fund whenever he is requested to do so; and he shall represent and defend the Board of Trustees as its attorney in all suits and actions at law or in equity that may be brought against it and in all suits and actions in its behalf that may be required or determined upon by the Board of Trustees.

Section 23. The Board of Trustees shall be authorized to pay out of such Fund all reasonable and necessary expenses, including the costs of bond herein provided for, that may be incurred by it in and about the performance of its duties under this Act and in and about the management and administration of the Fund; however, in no event shall the members of the Board of Trustees receive any salary or compensation for their services out of the Fund.

Section 24. Within ten days after any final decision of the Board of Trustees, any party, including the governing body of such city, feeling aggrieved at the decision of the Board of Trustees may appeal from such decision to the circuit court of the county in which such city is located; and such appeal shall be heard by a judge sitting without a jury. Upon the filing of any such appeal, notice thereof shall be served upon any member of the Board of Trustees by the appellant. Such appeal shall be heard by the court at the earliest possible date, and it shall not be necessary on any such appeal to enter exceptions to the rulings of the Board of Trustees; and no bond shall be required for such an appeal; and such an appeal shall be effected by filing a notice and request therefor by the appellant with the clerk of said court. An appeal may be taken from any decision of such court to the Court of Appeals of Alabama, or the Supreme Court of Alabama, as now provided by law.

Section 25. If any section of provision of this Act shall be held or declared to be unconstitutional, or void, it shall not affect or destroy the validity or constitutionality of any other section or provision of this Act, which is not of itself void, or unconstitutional.

Section 26. Act No. 365, H. 601, approved July 6, 1945 (General Acts of Alabama, 1945, page 581) and all other laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 27. This Act shall take effect upon its approval by the Governor, or its otherwise becoming law.
July 1-8-15-22

THE ANNISTON STAR
Anniston, Ala.

Personally appeared before me Ralph W. Callahan, who, being duly sworn, makes oath that he is Business Manager of The Anniston Star, a daily newspaper published in Anniston, Ala., and that the attached notice was published on the following dates: July 1-8-15-22, 1949.

RALPH W. CALLAHAN.

Sworn to and subscribed before me this 22nd day of July, 1949.

CLARA B. WRIGHT,
Notary Public.

Notary Seal

Also:

By Messrs. Thomas and Wallace:

H. 956. To amend Sections 16 and 17 of an Act approved August 25th., 1927, entitled "An Act to vest the Board of Revenue of Barbour County, Alabama, with further and more general powers as to roads and revenues, the handling of revenues and the appointment of a clerk to further assist the Board in such matters and generally; to give the Board of Revenue further right, power and authority in establishing rules and regulations for building of roads and bridges and maintenance and upkeep of the same; to give said Board of Revenue legislative, judicial and executive powers as to the construction, improvement and maintenance of public roads and bridges, vesting them with authority to promulgate rules and regulations concerning the same, giving said Board the right of eminent domain in regard to the same, vesting the said Board with authority to fix a per capita road tax, requiring the publication of such rules and regulations and fixing a penalty for violation thereof; to fix the salary of the clerk of such Board of Revenue, regulate the meetings of said Board of Revenue; to require all officers of the County collecting revenues to pay the same over to the proper authority and report thereon; require said Board to publish semi-annual statements; to fix the compensation of the members of said board and to repeal all local laws affecting roads and bridges in Barbour County and all laws in conflict herewith."

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that during the present session of the Legislature of Alabama, a bill will be introduced to amend Sections 16 and 17 of a Local Act, page 322, Local Acts of 1927, approved August 25th., 1927, relating to the Compensation of the members of the Board of Revenue of Barbour County, Alabama, in substance as follows:

AN ACT

To amend Sections 16 and 17 of an Act approved August 25th., 1927, entitled "An Act to vest the Board of Revenue of Barbour County, Ala-

bama, with further and more general powers as to roads and revenues, the handling of revenues and the appointment of a clerk to further assist the Board in such matters and generally; to give the Board of Revenue further right, power and authority in establishing rules and regulations for building of roads and bridges and maintenance and upkeep of the same; to give said Board of Revenue legislative, judicial and executive powers as to the construction, improvement and maintenance of public roads and bridges, vesting them with authority to promulgate rules and regulations concerning the same, giving said Board the right of eminent domain in regard to the same, vesting the said Board with authority to fix a per capita road tax, requiring the publication of such rules and regulations and fixing a penalty for violation thereof; to fix the salary of the clerk of such Board of Revenue, regulate the meetings of said Board of Revenue; to require all officers of the County collecting revenues to pay the same over to the proper authority and report thereon; require said Board to publish semi-annual statements; to fix the compensation of the members of said board and to repeal all local laws affecting roads and bridges in Barbour County and all laws in conflict herewith."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 16 of an Act entitled An Act to vest the Board of Revenue of Barbour County, Alabama, with further and more general powers as to roads and revenues, the handling of revenues and the appointment of a clerk to further assist the Board in such matters and generally; to give the Board of Revenue further right, power and authority in establishing rules and regulations for building of roads and bridges and maintenance and upkeep of the same; to give said Board of Revenue legislative, judicial and executive powers as to the construction, improvement and maintenance of public roads and bridges, vesting them with authority to promulgate rules and regulations concerning the same, giving said Board the right of eminent domain in regard to the same, vesting the said Board with authority to fix a per capita road tax, requiring the publication of such rules and regulations and fixing a penalty for violation thereof; to fix the salary of the clerk of such Board of Revenue, regulate the meetings of said Board of Revenue; to require all officers of the County collecting revenues to pay the same over to the proper authority and report thereon; require said Board to publish semi-annual statements; to fix the compensation of the members of said board and to repeal all local laws affecting roads and bridges in Barbour County and all laws in conflict herewith, be amended so as to read as follows:

Section 16: That in lieu of all other compensation to be paid and allowed to the members of the Board of Revenue of Barbour County, each member of the Board shall be paid out of the funds of the County by warrants to be drawn by the President and countersigned by the Clerk of the Board of Revenue a monthly salary of One Hundred Dollars (\$100.00) per month:

Section 2. That Section 17 of said Act be amended so as to read as follows:

Section 17. That the President of the Board of Revenue may receive compensation in addition to that provided for herein, for his services as such President in such amount as the Board of Revenue may fix and order paid, proportionate to the service that he performs as such officer.

Section 3. That all laws or parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 4. This Act shall not take effect during the present term of office of any incumbent.

**THE STATE OF ALABAMA
BARBOUR COUNTY**

Before me, A. M. McDowell, a Notary Public, in and for said State and County, personally appeared H. L. Upshaw, who, being duly and legally sworn, deposes and says, that he is editor and publisher of the Eufaula Tribune, a newspaper published bi-weekly in the City of Eufaula, Barbour County, Alabama; that the notice, a copy of which is hereto attached, was inserted and was published in said newspaper once a week for four consecutive weeks, viz; June 30th., July 7th., July 14th., and July 21st., 1949, before the making of this affidavit, and without cost to the State of Alabama.

This, the 25th day of July, 1949.

H. L. UPSHAW,
Editor and Publisher of Eufaula Tribune, of City of Eufaula,
Barbour County, Alabama.

Sworn to and subscribed before me, this the 25th day of July, 1949.

A. M. McDOWELL,
Notary Public, Barbour County, Alabama.

Notary Seal

Also:

By Mr. Malone:

H. 951. To Provide for additional duties of the Circuit Solicitor for the Judicial Circuit embracing Houston County, Alabama, and to provide for additional compensation and expenses therefor; to provide that said Circuit Solicitor make personal investigations of all homicides, and all other capital felonies committed in said county; to provide that it shall be the duty of said Circuit Solicitor to attend all preliminary hearings in capital cases in said county; to provide that as additional compensation and expenses for such additional duties, the said Circuit Solicitor shall be paid the sum of \$300.00 per annum in equal monthly installments from the general fund of Houston County, Alabama, by warrants drawn by the Judge of Probate of said county; to further provide that this act is to become effective on the first day of the month following its passage and becoming law.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced for passage at the present session of the Legislature of Alabama, a local bill providing in substance as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To Provide for additional duties of the Circuit Solicitor for the Judicial Circuit embracing Houston County, Alabama, and to provide for additional compensation and expenses therefore; to provide that said Circuit Solicitor make personal investigations of all homicides, and all other capital felonies committed in said county; to provide that it shall be the duty of said Circuit Solicitor to attend all preliminary hearings in capital cases in said county; to provide that as additional compensation and expenses for such additional duties, the said Circuit Solicitor shall be paid the sum of \$300.00 per annum in equal monthly installments from the general fund of Houston County, Alabama, by warrants drawn by the Judge of Probate of said county; to further provide that this act

is to become effective on the first day of the month following its passage and becoming law.

Be It Enacted by the Legislature of Alabama:

Section 1: It shall be the duty of the Circuit Solicitor of the Judicial Circuit embracing Houston County, Alabama, to make personal investigations of homicides, and all other capital felonies committed in Houston County, Alabama, and it shall further be the duty of said Circuit Solicitor to attend all preliminary hearings in capital cases in said county; and said Circuit Solicitor shall receive as compensation and expenses for such additional duties and services, the sum of \$300.00 per annum, payable in equal monthly installments out of the general fund of Houston County, Alabama, by warrants drawn by the Judge of Probate of Houston County, Alabama, on the treasury of said county.

Section 2. This act shall become effective on the first day of the month following its passage and becoming law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, on the following dates: July 1, 8, 15, 22, 1949; in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

J. T. LANE, JR.

Sworn to and subscribed before me on this 25 day of July, 1949.

E. R. WHALEY,
Notary Public.

Also:

By Messrs. Ingalls, Busby, Pinkston and Sightler:

H. 955. To amend Section 187 of Title 13, Code of Alabama of 1940.

Also:

By Messrs. Ingalls, Pinkston and Busby:

H. 940. To provide that when the Solicitor of Montgomery County, Alabama filed with the Governor an application for extradition of a person wanted in Montgomery County to answer a criminal charge and demand has issued, the Board of Revenue of Montgomery County shall advance to the Sheriff a sum sufficient out of the general funds of the county to pay the expense reasonably necessary to effect said extradition: to create a minimum fund out of which such advancement may be made; and to provide for the reimbursement of the Board of Revenue.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To provide that when the Solicitor of Montgomery County, Alabama filed with the Governor an application for extradition of a person wanted

in Montgomery County to answer a criminal charge and demand has issued, the Board of Revenue of Montgomery County shall advance to the Sheriff a sum sufficient out of the general funds of the county to pay the expense reasonably necessary to effect said extradition; to create a minimum fund out of which such advancement may be made; and to provide for the reimbursement of the Board of Revenue.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever the Solicitor of Montgomery County shall present to the Governor his written application for a requisition for the return to Montgomery County of any person in another state to answer a criminal charge in Montgomery county, and the Governor shall have granted such application and caused the demand to be issued as authorized by law, it shall be the duty of the Board of Revenue of Montgomery County to pay to the sheriff of said county a sum reasonably sufficient to effect the extradition. Such sum shall include any and all expenses that the sheriff is entitled to receive from the State of Alabama in prosecuting said extradition.

Section 2. It shall be the duty of the Board of Revenue of Montgomery County to set aside and allocate annually from the general fund of the county a sum reasonably sufficient to pay the expenses expressed in the preceding section which sum shall be kept at a level of not less than Six Hundred Dollars (\$600.00). The Board of Revenue of Montgomery County shall disburse said allocated funds in the manner provided herein.

Section 3. When the sheriff shall have received from the State of Alabama his expense lawfully incurred in effecting said extradition, he shall immediately reimburse the county therewith and shall also pay any sum between the amount withdrawn and that received from the State, to the end that the entire advance made by the County for said extradition may be refunded.

Section 4. This Act shall take effect immediately on its lawful enactment.

June 30, July 7, 14, 21, 1949.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lucille Raffels, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Sec.-Treas. of the Montgomery Examiner, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, 14, and 21, all in the year 1949.

LUCILLE RAFFELS.

Sworn to and subscribed before me July 22, 1949.

JESSIE D. RIVES,
Notary Public.

Also:

By Messrs. Ingalls, Pinkston and Busby:

H. 941. To amend Section 1 of Act 177 approved June 17, 1943, as amended by Section 1 of Act 89, approved July 7, 1947, which fixes the compensation of the Sheriff of Montgomery County and provides for help and assistants and other expenses in the office of the Sheriff, by increasing the allowance for help and assistants.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act 177 approved June 17, 1943, as amended by Section 1 of Sect. 89, approved July 7, 1947, which fixes the compensation of the Sheriff of Montgomery County and provides for help and assistants and other expenses in the office of the Sheriff, by increasing the allowance for help and assistants.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act 177 approved June 17, 1943, as amended by Section 1 of Act 89 approved July 7, 1943, which fixes the compensation of the Sheriff of Montgomery County and provides for help and assistants and other expenses in the office of the Sheriff, is amended to read: "The Sheriff shall be paid an annual salary of Four Thousand (\$4,000.00) net, in lieu of all compensation, fees, and emoluments, except as is otherwise provided in this Act, and the sheriff shall be allowed the sum of Fifty Seven Thousand and Three Hundred Dollars (\$57,300.00) per annum for help and assistants as follows: one chief deputy at Thirty Nine Hundred Dollars (\$3900.00) per annum; thirteen (13) deputies at Three Thousand Three Hundred Dollars (\$3,300.00) per annum; one warden at Three Thousand Six Hundred Dollars (\$3,600.00) per annum; two wardens at Twenty Seven Hundred Dollars (\$2700.00) per annum; one attorney at One Thousand Five Hundred Dollars (\$1,500.00) per annum; in addition, the sheriff shall be allowed the further sum of Twenty Five Hundred Dollars (\$2500.00) per annum, in equal monthly installments, for his ex-officio services and for his attendance upon the sessions of the Juvenile Courts or Courts of like jurisdiction in the county. The sheriff further shall be allowed his necessary expense in apprehending criminals or other law violators, such expense money shall be paid on requisition filed and approved by the Board of Revenue of the county. All payments provided for in this Section shall be paid out of the general funds of the county; and, except as herein otherwise provided, the selection and appointment of deputies, wardens and the attorney shall be made by the sheriff."

June 30, July 7, 14, 21, 1949.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lucille Raffels, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Sec.-Treas. of the Montgomery Examiner, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, 14, and 21, all in the year 1949.

LUCILLE RAFFELS.

Sworn to and subscribed before me July 22, 1949.

JESSIE D. RIVES,
Notary Public.

Also:

By Mr. Brannan:

H. 953. To extend, alter and rearrange the boundary lines and corporate limits of the City of Summerdale, in Baldwin County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

The following act will be presented for passage at the 1949 session of the Alabama Legislature.

AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Summerdale, in Baldwin County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Summerdale, in Baldwin County, Alabama, be and the same are hereby extended, altered and rearranged, so as to include within the corporate limits of said city of the following described territory:

All Section 29, Township 6 South, Range 4 East; All Section 32, Township 6 South, Range 4 East; All the East half of Section 30, Township 6 South, Range 4 East; All the East half of West half of Section 30, Township 6 South, Range 4 East; All East half of Section 31, Township 6 South, Range 4 East; All the East half of West half of Section 31, Township 6 South, Range 4 East; Beginning at the Southwest corner of Section 33, Township 6 South, Range 4 East, run East 420 feet, thence North 420 feet, thence West 420 feet, thence South 420 feet to beginning, all in Section 33, Township 6 South, Range 4 East.

All of the above described property being situated in Baldwin County, Alabama.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This act shall become affective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law 10-4tc.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BALDWIN COUNTY

Jimmy Faulkner, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of Town of Summerdale was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Mar. 31, 1949, Vol. 60, No. 10.

Date of 2nd publication Apr. 7, 1949, Vol. 60, No. 11.

Date of 3rd publication Apr. 14, 1949, Vol. 60, No. 12.

Date of 4th publication Apr. 21, 1949, Vol. 60, No. 13.

JIMMY FAULKNER,
Publisher.

Subscribed and sworn before the undersigned this 22 day of Apr., 1949.

MARIE B. BRYARS,
Notary Public, Baldwin County.

Also:

By Mr. Denton:

H. 931. To abolish the fine and forfeiture fund of Blount County, Alabama; to provide for the payment of all money now in the fine and

forfeiture fund to the general fund of said county; to provide for the payment of all money hereafter collected by court officials for the fine and forfeiture fund to be paid to the general fund, to provide for payment out of the general fund of all claims due or to become due by the fine and forfeiture fund; to provide for the payment out of the general fund of fees of State witnesses summoned before Grand Jury on presentation; to provide for payment of State witnesses summoned before Circuit Court or County Court of said county out of the general fund on presentation; to provide for payment to the general fund of all witness fees collected by court officials for State witnesses either before Grand Jury, Circuit Court or County Court; to provide for the payment by the Clerk of the County Court and Clerk of the Circuit Court to the general fund of all money now in said Clerk's hands for the payment of fees of State witnesses; to provide for payment out of the general fund of said county of all witness fees and clerk's and sheriff's fees now outstanding.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LEGISLATION

Notice is hereby given that at the present term of the Legislature I will introduce Local Bill.

A BILL TO BE ENTITLED AN ACT

To abolish the fine and forfeiture fund of Blount County, Alabama; to provide for the payment of all money now in the fine and forfeiture fund to the general fund of said county; to provide for the payment of all money hereafter collected by court officials for the fine and forfeiture fund to be paid to the general fund, to provide for payment out of the general fund of all claims due or to become due by the fine and forfeiture fund; to provide for the payment out of the general fund of fees of State witnesses summoned before Grand Jury on presentation; to provide for payment of State witnesses summoned before Circuit Court or County Court of said County out of the general fund on presentation; to provide for payment to the general fund of all witness fees collected by court officials for State witnesses either before Grand Jury, Circuit Court or County Court; to provide for the payment by the Clerk of the County Court and Clerk of the Circuit Court to the general fund of all money now in said Clerk's hands for the payment of fees of State witnesses; to provide for payment out of the general fund of said county of all witness fees and clerk's and sheriff's fees now outstanding.

Bt It Enacted by the Legislature of Alabama:

Section 1. That the fine and forfeiture fund of Blount County is hereby abolished.

Section 2. That it shall be the duty of the County Depository or the County Treasurer of said County to transfer any and all money now on hand in the fine and forfeiture fund of said county to the general fund of said county; and hereafter all money which under existing laws, or laws hereafter enacted are payable into the fine and forfeiture fund of Blount County, shall, from and after the passage and approval of this act, be paid into the general fund of said county; and that all claims which are now under existing laws or laws which may hereafter be enacted, due to be paid out of the fine and forfeiture fund of Blount County shall be paid out of the general fund of said county.

Section 3. That after the passage and approval of this Act, when any person is subpoenaed as a witness before the Grand Jury of Blount County in a criminal case and procures a certificate of his attendance before said grand jury as a witness signed by the Foreman of the Grand

Jury, said certificate shall be paid out of the general fund of said county by the depository or Treasurer of said county on presentation of said certificate by the lawful holder thereof to said depository or Treasurer.

Section 4. That where any person appears as a State's witness in a criminal case in the Circuit Court or County Court of Blount County and procures a certificate of his attendance signed by the clerk of said courts, said certificate shall be paid out of the general fund of said county by the depository or Treasurer thereof on the presentation of said certificate to said depository or Treasurer by the lawful holder thereof.

Section 5. That when any fees are collected for State's witnesses in the Circuit Court or County Court of said County by court officials, such fees shall be by such person paid to the County Depository or County Treasurer and shall be credited to the general fund of said county.

Section 6. That it shall be the duty of the Clerk of the Circuit Court and the Clerk of the County Court, on the passage and approval of this act, to immediately transfer all money held by said Clerk for the payment of fees of State's witnesses either before the Grand Jury, Circuit Court, or County Court, to the general fund of said county.

Section 7. That all claims, script and certificates issued to witness summoned on behalf of the State before the Grand Jury or before the Circuit Court or County Court of Blount County, and all claims, script and certificates issued to the Sheriff of said county and the Clerks of the Circuit Court and County Court of said county, be and the same are hereby ratified, validated and made legal, and the County Depository or County Treasurer is hereby authorized, empowered and directed to pay the same out of the general fund of said County upon presentation of such claims by the lawful holder thereof.

Section 8. Be it further enacted that if any section or provision of this Act shall be declared unconstitutional it shall not affect or destroy the validity or constitutionality of any other section or provision herein which is not in and of itself unconstitutional.

Section 9. That all laws and parts of laws in conflict with the provisions of this act be and they are hereby repealed; this act shall go into effect immediately upon its passage and approval.

N. C. DENTON,
Representative.

30J3t

THE STATE OF ALABAMA BLOUNT COUNTY

Personally appeared before the undersigned authority, Rice M. Howard, who, being duly sworn, deposes and says that he is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for 4 consecutive weeks in said newspaper, commencing on the 23 day of June, 1949, and ending on the 14 day of July, 1949.

RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me this 25 day of July, 1949.

J. E. BAINS,
Notary Public.

Also:

By Mr. Black:

H. 934. Relating to Walker County, Alabama; amending Act No. 232, S. B. 187, approved July 31, 1935 (Local Acts of Alabama, 1935, p. 131) entitled: "An Act to abolish the County Commission of Walker County, and to establish in lieu thereof a Board of Revenue; to provide when said County Commission shall be abolished and said Board of Revenue established; to provide the number of members of said Board of Revenue;

to prescribe their terms of office, authority, powers, duties and fix their compensation; to provide for the selection and election of said members, and to repeal all laws and parts of laws in conflict herewith."

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

NOTICE is hereby given that at the next session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Walker County, Alabama; amending Act No. 232, S. B. 187, approved July 31, 1935 (Local Acts of Alabama, 1935, p. 131) entitled: "An Act to abolish the County Commission of Walker County, and to establish in lieu thereof a Board of Revenue; to provide when said County Commission shall be abolished and said Board of Revenue established; to provide the number of members of said Board of Revenue; to prescribe their terms of office, authority, powers, duties and fix their compensation; to provide for the selection and election of said members, and to repeal all laws and parts of laws in conflict herewith."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 10 of Act No. 232, S. B. 187, approved July 31, 1935, entitled, "An Act to abolish the County Commission of Walker County, and to establish in lieu thereof a Board of Revenue; to provide when said County Commission shall be abolished and said Board of Revenue established; to provide the number of members of said Board of Revenue; to prescribe their terms of office, authority, powers, duties and fix their compensation; to provide for the selection and election of said members, and to repeal all laws and parts of laws in conflict herewith," is amended to read as follows:

"Section 10. The Board of Revenue and its members shall have and exercise all jurisdiction, rights, powers and authority and shall perform all the duties and services which are now or may hereafter be invested in or placed upon courts of county commissioners, boards of revenue, or like governing bodies or courts of like kind by the general laws of Alabama. It is provided, however, that neither the board nor any member thereof shall have authority to rent out, hire, lease, or lend any machinery or equipment acquired, owned, or held by the county for use in the construction, maintenance, or repair of public roads of the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CHESTER M. BLACK,
Representative.

5-26-4t

AFFIDAVIT

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared E. O. Roden, Pub. of The Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice "An Act" who,

being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely; May 26, June 2, June 9, and June 16, 1949.

THE UNION NEWS

E. O. RODEN,
Publisher.

Sworn and subscribed to before me, this 18 day of June, 1949.

MRS. ANNIE DAVIS,
Notary Public.

Also:

By Messrs. Black and McDanal:

H. 935. To require the coroner of Walker County, Alabama, to investigate all cases of death in instances where persons die in said county without having been attended by a physician and to file certificates of death with the health officer of Walker County, Alabama, and to prescribe the compensation of the coroner and the manner of its payment.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that there will be introduced at the present session of the Legislature of Alabama a bill substantially as follows and its passage requested:

A BILL TO BE ENTITLED AN ACT

To require the coroner of Walker County, Alabama, to investigate all cases of death in instances where persons die in said county without having been attended by a physician and to file certificates of death with the health officer of Walker County, Alabama, and to prescribe the compensation of the coroner and the manner of its payment.

Be It Enacted by the Legislature of Alabama as follows:

Section 1. That the coroner of Walker County, Alabama, is required, in addition to other duties now imposed upon him by law, to make investigations in all cases of death of persons in Walker County, Alabama, where the parties dying were not attended by a physician and he is required to file death certificates with the county health officer of Walker County.

Section 2. As compensation to the coroner of Walker County, Alabama, for the additional duties hereby imposed upon him and for all other duties imposed upon him by law he shall be paid a salary out of the general funds of Walker County, Alabama, in the sum of \$150.00 for each calendar month. Warrants shall be issued to him each month for his salary by the Chairman of the Walker County Board of Revenue and paid by the Treasurer of said county out of the general funds.

Section 3. This act shall take effect immediately upon its approval by the Governor.

This the 20th day of May, 1949.

CHESTER M. BLACK,
Representative.

5-26-4t

AFFIDAVIT

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared E. O. Roden, Pub. of The Union News, a

newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice "An Act" who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely; May 26, June 2, June 9 and June 16, 1949.

THE UNION NEWS

E. O. RODEN,
Publisher.

Sworn and subscribed to before me, this 18 day of June, 1949.

MRS. ANNIE DAVIS,
Notary Public.

Also:

By Messrs. Black and McDanal

H. 936. To fix the term of office of the Tax Assessor of Walker County, Alabama, and to provide for his election.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next convening of the Legislature of Alabama, a Bill as follows will be introduced and its passage applied for:

AN ACT

To fix the term of office of the Tax Assessor of Walker County, Alabama, and to provide for his election.

Be It Enacted by the Legislature of Alabama:

Section 1. That after the expiration of the present term of the present incumbent of the office of tax assessor of Walker County, Alabama, and beginning on the first day of October, 1949 the term of office of the tax assessor of Walker County, Alabama, shall be for a period of four years, and he shall hold office until his successor is elected and qualified.

Section 2. There shall be elected at the general election in November, 1952, and every four years thereafter, a tax assessor for Walker County, Alabama, who shall perform such duties as are now prescribed by law, or as may hereafter be provided by law and whose term of office shall be four years from the first day of October next after his election and until his successor is elected and qualified.

Section 3. That all laws or parts of laws in conflict herewith are hereby expressly repealed.

Section 4. This Act shall take effect upon its approval by the Governor or otherwise becoming a law.

A. J. McDANAL, JR.,
Representative of Walker County, Ala.

5-19-4t

AFFIDAVIT

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared E. O. Roden, Pub. of The Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which news-

paper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice—An Act who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely; May 19, May 26, June 2 and June 9, 1949.

THE UNION NEWS

E. O. RODEN,
Publisher.

Sworn and subscribed to before me, this 10 day of June, 1949.

MRS. ANNIE DAVIS,
Notary Public.

Also:

By Messrs. McDanal and Black:

H. 937. To fix the term of office of the Tax Collector of Walker County, Alabama, and to provide for his election.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next convening of the Legislature of Alabama, a Bill as follows will be introduced and its passage applied for:

AN ACT

To fix the term of office of the Tax Collector of Walker County, Alabama, and to provide for his election.

Be It Enacted by the Legislature of Alabama:

Section 1. That after the expiration of the present term of the present incumbent of the office of tax collector of Walker County, Alabama, and beginning on the first day of October, 1949, the term of office of the tax collector of Walker County, Alabama, shall be for a period of four years, and he shall hold office until his successor is elected and qualified.

Section 2. There shall be elected at the general election in November, 1952, and every four years thereafter, a tax collector for Walker County, Alabama, who shall perform such duties as are now prescribed by law or as may hereafter be provided by law, and whose term of office shall be four years from the first day of October next after his election and until his successor is elected and qualified.

Section 3. That all laws or parts of laws in conflict herewith are hereby expressly repealed.

Section 4. This Act shall take effect upon its approval by the Governor or otherwise becoming a law.

A. J. McDANAL, JR.,
Representative of Walker County, Ala.

5-19-4t

AFFIDAVIT

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared E. O. Roden, Pub. of The Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice An Act who,

being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely; May 19, May 26, June 2 and June 9, 1949.

THE UNION NEWS

E. O. RODEN,
Publisher.

Sworn and subscribed to before me, this 10 day of June, 1949.

MRS. ANNIE DAVIS,
Notary Public.

Also:

By Mr. Black:

H. 939. To amend Section 5 of an Act entitled "An Act to abolish the County Commission and to establish in lieu thereof a Board of Revenue; to provide when said County Commission shall be abolished and said Board of Revenue established; to provide the number of members of said Board of Revenue; to prescribe their terms of office, authority, powers, duties and to fix their compensation; to provide for the selection and election of said members, and to repeal all laws and parts of laws in conflict herewith." The Act to be amended having been approved July 31, 1935, said Act to be amended shall remain as it is now except that part thereof dividing Walker County into districts by carving the different districts of Walker County out of the different beats of Walker County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next convening of the Legislature of Alabama, a bill as follows will be introduced and its passage applied for.

AN ACT

To amend Section 5 of an Act entitled "An Act to abolish the County Commission and to establish in lieu thereof a Board of Revenue; to provide when said County Commission shall be abolished and said Board of Revenue established; to provide the number of members of said Board of Revenue; to prescribe their terms of office, authority, powers, duties and to fix their compensation; to provide for the selection and election of said members, and to repeal all laws and parts of laws in conflict herewith." The Act to be amended having been approved July 31, 1935, said Act to be amended shall remain as it is now except that part thereof dividing Walker County into districts by carving the different districts of Walker County out of the different beats of Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 5 of an Act entitled "An Act to abolish the County Commission and to establish in lieu thereof a Board of Revenue; to provide when said County Commission shall be abolished and said Board of Revenue established; to provide the number of members of said Board of Revenue; to prescribe their terms of office, authority, powers, duties and to fix their compensation; to provide for the selection and election of said members, and to repeal all laws and parts of laws in conflict herewith" be and the same is hereby amended so as to read as follows: Section 5. That Walker County, Alabama, is hereby divided into four districts as follows: District number one shall be composed of beats one, two, three, seventeen, twenty-nine, thirty-three, thirty-six and thirty-eight as said beats are now constituted; district number two shall be com-

posed of beats four, five, six, seven, eighteen, twenty-four, twenty-five, twenty-six, thirty-one, thirty-two, thirty-four and thirty-five as said beats are now constituted; district number three shall be composed of beats eight, nine, ten, eleven, twelve, twenty, twenty-two and twenty-three as said beats are now constituted; district number four shall be composed of beats thirteen, fourteen, fifteen, sixteen, nineteen, twenty-one, twenty-seven, twenty-eight, thirty and thirty-seven as said beats are now constituted. The Chairman of said Board may be a resident of any district or beat in the County, but there must be one member of said Board that is a resident of district one; one member that is a resident of district number two; one member that is a resident of district number three; and one member that is a resident of district number four, and no person shall be qualified to be a member for either district who is not a resident and a voter in said district. That the Chairman of said Board when elected shall be nominated by the voters of the whole County, and elected by the voters of the whole County; that the member of said Board representing district number one shall be nominated by the voters of district number one and elected by the voters of the whole county; the member of said Board from district number two shall be nominated by the voters in district number two and elected by the voters of the whole county; that the member of said Board from district number three shall be nominated by the voters of said district number three and elected by the voters of the whole county; that the member of said Board from district number four shall be nominated by the voters of said district number four and elected by the voters of the whole county, provided that the first board shall be completed with tenures as hereinafter provided.

Section 2. That this act shall go into effect immediately upon its passage and approval by the Governor and all laws and parts of laws in conflict herewith are hereby repealed.

CHESTER M. BLACK,
Representative of Walker County, Ala.

4-21-4t

AFFIDAVIT

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared E. O. Roden, Pub. of The Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice "An Act" who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely; April 21 and 28, 1949 and May 5 and 12, 1949.

THE UNION NEWS

E. O. RODEN,
Publisher.

Sworn and subscribed to before me, this 16 day of May, 1949.

MRS. ANNIE DAVIS,
Notary Public.

Also:

By Mr. Black:

H. 946. To repeal Act No. 488, S. B. 296, approved July 6, 1945, entitled "An Act To set a due date for the Fine and Forfeiture Fund certificates for Walker County to pay at least \$5,000.00 yearly out of any funds

that they have to redeem said Fine and Forfeiture Fund," (Local Acts of Alabama, 1945, p. 190).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, an Act will be introduced and application for its passage and enactment will be made. To repeal an Act entitled An Act to set a due date for the Fine and Forfeiture Fund Certificates for Walker County to pay at least \$5,000.00 yearly out of any funds that they have to redeem said Fine and Forfeiture Fund. Approved July 6, 1945.

CHESTER M. BLACK,
Representative.

6-2-4t

AFFIDAVIT

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared E. O. Roden, Pub. of The Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice "An Act" who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely: June 2, June 9, June 16 and June 23, 1949.

THE UNION NEWS

E. O. RODEN,
Publisher.

Sworn and subscribed to before me, this 23 day of June, 1949.

MRS. ANNIE DAVIS,
Notary Public.

Also:

By Mr. Black:

H. 947. To repeal Act No. 579, H. B. 1010, approved October 9, 1947, entitled "An Act to abolish the fine and forfeiture fund of Walker County; to provide for the transfer of the fine and forfeiture funds into the general fund of the county and to provide for registration and payment of officers script now outstanding or issued in the future," (Local Acts of Alabama, 1947, p. 394).

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that An Act will be introduced in the Legislature of Alabama, at the present term of the Legislature, to repeal An Act, "To abolish the fine and forfeiture funds of Walker County; to provide for the transfer of the fine and forfeiture funds into the general fund of the county, and to provide for the registration and payment of officer script now outstanding or issued in the future." Passed by the 1947 Legislature of Alabama, and approved by the Governor on October 9, 1947.

Requested by
C. M. BLACK,
Representative.

-26-4t

AFFIDAVIT

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared E. O. Roden, Pub. of The Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice "An Act" who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely: May 26, June 2, June 9 and June 16, 1949.

THE UNION NEWS

E. O. RODEN,
Publisher.

Sworn and subscribed to before me, this 18 day of June, 1949.

MRS. ANNIE DAVIS,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 691, 692, 915, 721, 722, 920, 921, 944, 956, 951, 955, 940, 941, 953, 931, 934, 935, 936, 937, 939, 946, and 947. To the Committee on Local Legislation.

FURTHER CONSIDERATION OF S. R. 60

The Rules Committee offered the following substitute for the resolution, to-wit:

SUBSTITUTE FOR S. R. 60

By Rules Committee:

Mr. President and Members of the Senate:

Your Committee on Rules reports the following bills in the order listed for special, paramount and continuing order following the bills now on special order:

	Page
H. 713	69
H. 487	53
H. 294	64
H. 313	66
H. 745	54
S. 523	68
S. 455	55

S. 449	58
S. 169	13
S. 82	27
S. 21	28
S. 393	28
S. 567	69
S. 217	21
S. 5	26
H. 784	68
S. 537	67
S. 532	72
S. 531	59
S. 488	46
S. 430	32
S. 163	9
S. 511	55
S. 431	40
S. 162	22
S. 220	37
S. 221	37
S. 459	35
S. 41	56
S. 530	64
S. 408	35
S. 447	38
S. 551	73
S. 469	46
S. 421	43
S. 407	40
H. 17	23
H. 385	65
H. 87	16
H. 193	46
H. 182	56
H. 94	59
H. 189	39
H. 720	56
H. 729	52
S. 194	17
S. 23	10

It is recommended that each day before taking up this special order the Senate dispose of all local bills in the order they appear on the calendar.

G. R. SWIFT.
G. R. SWIFT.

Mr. Kendall offered the following amendment to the substitute for the resolution, to-wit:

Amend substitute of Rules Committee for S. R. 60 as follows:
By striking S. 121 from the present printed special order and inserting in lieu thereof H. B. 719 on page 83.

Mr. Patton offered the following substitute for Mr. Kendall's amendment to the substitute for the resolution, to-wit:

Substitute for Kendall amendment to substitute of Rules Committee for S. R. 60 by inserting before H. B. 713 the words H. B. 719.

Which was adopted.

The amendment offered by Mr. Kendall, as thus amended, was then adopted.

Messrs. Hardwick and Harvey offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute for S. R. 60 by inserting the words S. B. 552 after the words H. B. 784.

Which was adopted.

Messrs. Owens and Burnside offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute for Senate Resolution No. 60 by adding after S. B. 82 the following bill: H. B. 453 Page 76.

Which was adopted.

Mr. Patton offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee special order report No. 60 by adding after S. B. 459 the following bill: H. B. 451 Page 77.

Which was adopted.

Mr. Patton also offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute for S. R. 60 by adding after S. B. 459 the following bill: H. B. 490 Page 57.

And on motion of Mr. Coleman, said amendment was laid on the table.

Yeas 20; Nays 11.

Yeas:

Messrs.:
Allen
Barrett
Boutwell
Bridges
Clayton

Coleman
Gaither
Glover
Golson
Hardwick

Harvey
Henderson
Howle
Hughes
Kimbrell

Lowe
Perry
Quarles
Swift
Wright

Nays:

Messrs.:	Cooper	Lamberth	Patton
Burnside	Fite	Owens	Russell
Cater	Gulledge	Patterson	Summerlin

—11

PAIR ANNOUNCED

Mr. Mize announced that he was paired with Mr. Kendall on this vote; that Mr. Kendall, if present, would vote "nay" and he, Mr. Mize, would vote "aye".

Mr. Russell offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute for S. R. 60, as amended, by adding after House Bill 294 pg. 64 S. B. 574—page 75 to said special order.

Which was adopted.

Mr. Henderson offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules committee substitute for S. R. 60 by adding at the end of the list the following: H. B. 741 Page 59.

Which was adopted.

Yeas 21; Nays 8.

Yeas:

Messrs.:	Clayton	Lowe	Quarles
Allen	Coleman	Mize	Russell
Barrett	Hardwick	Patterson	Summerlin
Boutwell	Henderson	Patton	Swift
Bridges	Hughes	Perry	Wright
Cater	Kendall		

—21

Nays:

Messrs.:	Gulledge	Kimbrell	Langan
Fite	Howle	Lamberth	Owens
Golson			

—8

Mr. Henderson also offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute for S. R. 60 as amended by adding at the end thereof the following: H. B. 82 Page 80.

And on motion of Mr. Hardwick, said amendment was laid on the table.

Yeas 19; Nays 12.

Yeas:

Messrs.:	Cater	Harvey	Mize
Barrett	Coleman	Howle	Owens
Boutwell	Fite	Kimbrell	Patterson
Bridges	Gaither	Lamberth	Perry
Burnside	Hardwick	Langan	Summerlin

—19

Nays:

Messrs.:	Golson	Hooton	Lowe
Allen	Gulledge	Hughes	Patton
Cooper	Henderson	Kendall	Swift
Glover			

—12

Mr. Patterson offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute for S. R. 60 as amended by placing before H. B. 17, S. B. 80, page 28.

Mr. Lowe moved that said amendment be laid on the table, and the motion to table was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Cooper	Hughes	Russell
Allen	Glover	Lowe	Swift
Cater	Golson	Owens	Wright
Coleman	Henderson	Quarles	

—14

Nays:

Messrs.:	Fite	Howle	Mize
Barrett	Gulledge	Kendall	Patterson
Boutwell	Hardwick	Kimbrell	Patton
Bridges	Harvey	Lamberth	Summerlin
Burnside	Hooton	Langan	

—18

And said amendment was then adopted.

Mr. Patterson also offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Senate Rules Committee substitute for S. R. 60 as amended by striking out S. B. 459 and placing it back on the regular calendar in its original position.

And on motion of Mr. Golson, said amendment was laid on the table.

Yeas 21; Nays 10.

Yeas:

Messrs.:	Cooper	Kendall	Quarles
Allen	Glover	Lowe	Russell
Bridges	Golson	Owens	Summerlin
Cater	Gulledge	Patton	Swift
Clayton	Henderson	Perry	Wright
Coleman	Hughes		

—21

Nays:

Messrs.:	Gaither	Kimbrell	Mize	
Barrett	Harvey	Lamberth	Patterson	
Fite	Howle	Langan		—10

Mr. Patterson also offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute for S. R. 60, as amended, by placing at the bottom thereof the following bill: Senate Bill 554 Page 76.

Which was adopted.

Mr. Patterson also offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules committee substitute for S. R. 60 as amended by placing at the bottom thereof the following bill: Senate Bill 107 Page 7 relating to off-street parking.

And on motion of Mr. Hardwick, said amendment was laid on the table.

Yeas 21; Nays 6.

Yeas:

Messrs.:	Gaither	Hooton	Owens	
Allen	Glover	Howle	Patton	
Barrett	Golson	Hughes	Perry	
Cater	Gulledge	Kendall	Quarles	
Coleman	Hardwick	Mize	Wright	
Cooper	Henderson			—21

Nays:

Messrs.:	Fite	Langan	Swift	
Boutwell	Lamberth	Patterson		—6

Mr. Gaither moved that the Senate do now recess until 2:00 P. M. this afternoon which motion was lost.

Yeas 14; Nays 17.

Yeas:

Messrs.:	Golson	Howle	Patterson	
Coleman	Gulledge	Hughes	Perry	
Fite	Hardwick	Lamberth	Summerlin	
Gaither	Harvey	Owens		—14

Nays:

Messrs.:	Cater	Kendall	Patton	
Allen	Cooper	Langan	Quarles	
Barrett	Glover	Lowe	Russell	
Boutwell	Henderson	Mize	Swift	
Burnside	Hooton			—17

Mr. Hooton offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute as amended, for S. R. 60 by adding after Senate Bill 5 on page 26, S. B. 572 on page 74.

Which was adopted.

Mr. Summerlin offered the following amendment to the substitute, as amended for the resolution, to-wit:

Amend Rules Committee substitute, as amended, for S. R. 60 by inserting "Senate 417, page 84" immediately after the words "S. 23, page 10".

Which was adopted.

Messrs. Mize and Hooton offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute as amended for S. R. 60 by adding at the end thereof Senate Bill 33 on page 22.

Which was adopted.

Mr. Coleman offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute for S. R. 60 as amended as follows: At the end of the list following S. 23, p. 10 add the following bill: H. 711 on page 54.

Which was adopted.

Mr. Allen offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute for S. R. 60 as amended by adding after S. B. 194 the following "H. 801 on page 76."

Which was adopted.

Mr. Mize offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute as amended for S. R. 60 by adding at the end thereof Senate Bill 32 on page 21.

Which was adopted.

Mr. Hooton offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute as amended for S. R. 60 by adding at the end of the list of bills for Special Order Calendar, the following bills:

House 696 (By Lovelace) which relates to re-classification Date based on Federal Census. On page 80 of Calendar for 27th Day.

House 658 (By Dobbs and Hornsby) which relates to water works boards. On page 70 of Calendar for 27th Day.

House 659 (By Dobbs and Hornsby) which relates to water works boards. On page 71 of Calendar for 27th Day.

House 653 (By Adams of Dale) relating to publication and recording of ordinances.

Which was adopted.

Mr. Patterson offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute as amended for S. R. 60 by adding at end thereof: House Bill 253 Page 35.

Which was adopted.

Mr. Glover offered the following amendment to the substitute, as amended, for the resolution, to-wit:

Amend Rules Committee substitute for S. R. 60 as amended by adding after S. B. 407 the following bills: H. B. 417 Page 47; H. B. 423 Page 48.

Which was adopted.

And the substitute, as thus amended, for the resolution was then adopted.

Mr. Allen then moved that the Senate reconsider the vote by which it just adopted the substitute, as amended, for S. R. 60 and then moved to lay on the table the motion to reconsider; the motion to table prevailed.

RECESS

At 12:40 P. M. on motion of Mr. Swift, the Senate took a recess until 2:30 P. M. this afternoon.

AFTERNOON SESSION

TWENTY-SEVENTH LEGISLATIVE DAY

TUESDAY, AUGUST 2, 1949

The Senate re-assembled at 2:30 P. M., Lieutenant Governor Inzer presiding.

ROLL CALL

Present:

Messrs.:	Cooper	Hooton	Owens
Allen	Fite	Howle	Patterson
Barrett	Gaither	Hughes	Patton
Boutwell	Glover	Kendall	Perry
Bridges	Golson	Kimbrell	Quarles
Burnside	Gulledge	Lamberth	Russell
Cater	Hardwick	Langan	Summerlin
Clayton	Harvey	Lowe	Swift
Coleman	Henderson	Mize	Wright

—35

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Patton (by request):

S. B. 605. To amend Section 7 of Title 60 of the 1940 Code, as amended, which relates to widows who are entitled to pensions.

Committee on Military.

By Mr. Lowe:

S. B. 606. To propose an amendment to the Constitution of Alabama providing for levying and collecting in the school tax district of the City of Huntsville in Madison County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes, and providing for the issuance of bonds to be retired with the funds arising from such tax; ordering an election upon the proposed amendment to be held on the date of the first special or general election held following the expiration of three months after the final adjournment of the present session of the Legislature.

Committee on Local Legislation.

The above bill was read a first time at length as required by the Constitution.

By Mr. Boutwell:

S. B. 607. To vacate and abandon certain parks in the Survey of Oakwood Estates in the City of Birmingham, County of Jefferson, State of Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LEGISLATIVE ACT

The undersigned hereby gives notice that he will apply to the 1949 session of the Legislature of the State of Alabama for the enactment of a

bill to vacate and abandon the following parks in the Surveys of Oakwood Estates, as recorded in Map Book 28, page 48, the Re-Survey of Blocks 8, 9, 10 and 11 of Oakwood Estates, recorded in Map Book 29, page 55, and Oakmoor Estates, recorded in Map Book 29, page 62, all in the Probate Office of Jefferson County, Alabama, which parks are located as follows:

The triangle at the intersection of Madison Avenue and Woodland Avenue.

The triangle at the intersection of Alabama Avenue, Madison Avenue and 21st Street.

The irregular tract bounded on the North by St. Charles Avenue, on the East by 21st Street Southwest, on the South by Lot 6 in Block 1 in the Survey of Oakwood Estates, on the West by the right of way of Valley Creek Drainage Canal, and on the Northwest, West, and Southwest by the center line of the old channel of Valley Creek, all in the City of Birmingham, Jefferson County, Alabama.

D. H. MARBURY, JR.

Post: April 20, 27, May 4, 11, 1949

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, SS
COUNTY OF JEFFERSON

Mr. James E. Mills personally appeared before me this 29 day of July, 1949 and upon oath states that he is the Editor of The Birmingham Post a newspaper of general circulation in the City of Birmingham, County of Jefferson, State of Alabama, and further declares that the attached advertisement is a true copy which appeared in the said Birmingham Post, without cost to the State of Alabama, on the following dates, to-wit: April 20, 27, May 4, 11, 1949.

JAMES E. MILLS,
Birmingham Post.

Subscribed and sworn to before me this 29 day of July, 1949.

HAROLD J. WILSON,
Notary Public, Jefferson County, Alabama.

My commission expires July 30, 1951. Bonded by American Surety Co. of N. Y.

REPORTS OF COMMITTEES

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Dobbs (Elmore) and Hornsby (with notice and proof):

H. 323. To fix the compensation of the members of the Court of County Commissioners, or Governing Body, of Elmore County, Alabama.

By Messrs. Morring and Vann (with notice and proof):

H. 838. To authorize the Board of Registrars of Madison County to employ a full-time clerk; prescribing his duties and qualifications, fixing his compensation and providing for supplies and equipment for his office.

By Messrs. Morring and Vann (with notice and proof):

H. 837. To amend Section 15 of an Act entitled an Act "To establish in Precinct One in Madison County, Alabama, an Inferior Court in lieu of all Justices of the Peace and Notaries Public with the powers of a Justice of the Peace in the said Precinct, to be known as the Inferior Court of Huntsville, to define the jurisdiction and powers of said Court and the Judge thereof." Approved April 4, 1911, as amended by an Act of the Legislature approved March 2, 1931, and as further amended by an Act of the Legislature approved January 8, 1937. And as further amended by an Act of the Legislature approved June 2, 1943.

By Messrs. Ingalls, Pinkston, Busby and Sightler (with notice and proof):

H. 875. Relating to the salaries of the officers of the Juvenile and Court of Domestic Relations—Montgomery County, Alabama, to fix the salary of the Clerk of the Juvenile and Court of Domestic Relations—Montgomery County Alabama, and to fix the maximum amount of the respective salaries to be received by the Probate Officers of said Juvenile and Court of Domestic Relations—Montgomery County, Alabama.

By Messrs. Vann and Morring (with notice and proof):

H. 901. Relating to Madison County; To provide for the election, qualification, and tenure of members of the County Board of Education of Madison County, Alabama.

By Messrs. Dumas, Beatty, Gibson, Meeks and Sadler (with notice and proof):

H. 917. To provide for the relief of John C. Allen out of the general fund of Jefferson County, Alabama.

By Messrs. Snodgrass and O'Neal (with notice and proof):

H. 924. To amend Section 25 of an Act of the Legislature entitled: "An Act to establish a County Court of Jackson County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations; to provide that said Court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund for said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and in the Probate Court of Jackson County, Alabama, to the Jackson County Court; and to provide for the transfer of certain cases pending in said Jackson County Court to the Equity side of the Circuit Court of Jackson County, Alabama," approved July 10, 1940, and found on pages 368 and 377, inclusive, of the Local Acts of 1939.

By Mr. Beck (with notice and proof):

H. 925. To transfer the Juvenile Court of DeKalb County, Alabama from the Probate Court of said county to the DeKalb

County Court of said county and to give to said DeKalb County Court exclusive jurisdiction over children and juvenile matters and cases of Desertion and Non-Support; to provide that the Judge of the DeKalb County Court shall be Judge of the Juvenile Court in said county; to allow the clerk \$400.00 per year additional ex-officio fees for his services upon said court, and to allow the Deputy Solicitor of said county \$50.00 per month additional compensation for his attendance and prosecution in said court.

By Messrs. Meeks, Sadler, Gibson and Dumas (with notice and proof):

H. 926. To provide for the relief of Mrs. Mamie Rickles out of the General Fund of Jefferson County, Alabama.

By Messrs. Meeks, Sadler, Adams (Jefferson), Dumas, Beatty and Gibson:

H. 919. To amend Act No. 215 of the regular session of the Legislature of Alabama of 1947, Approved July 24, 1947 (General Acts of Alabama of 1947, Page 81 Et Seq.) Entitled "An Act to provide, in any city of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal Census, for the incorporation of an authority to lease, or own, or otherwise acquire and provide, control and operate fairgrounds, parks, exhibits, exhibitions and other installation, facilities and places for the amusement, entertainment, recreation and cultural development of the citizens of such city; to provide for the management of said authority by a Board of Directors; to provide for the appointment, and term of office and removal of said Directors; to provide for the powers of such authority; to authorize the City to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions of which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the City to make appropriations or to lend money to the authority; and to accord the authority exemption from State, County and City taxation."

By Messrs. Pinkston, Busby, Sightler and Ingalls (with notice and proof):

H. 874. To provide for the appointment of a Clerk of the Montgomery County Board of Revenue; to prescribe his duties; to authorize the Montgomery County Board of Revenue to fix his compensation, the same to be payable out of the general fund of the county; and to provide for his official bond.

Mr. Clayton, Chairman of the Standing Committee on Privileges and Elections reported that said Committee, in Session, had acted on the following bill and ordered same returned to the

Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Langan:

S. 465. To amend Section 111 of Title 17 of the 1940 Code of Alabama, as amended, which relates to the time of opening and closing polls where voting machines are used.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Brassell and Harris:

H. 118. To amend Act No. 569, General Acts of 1947, Page 402, approved October 2, 1947, "To fix and prescribe the salaries to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of said salaries by the counties of certain judicial circuits", and to provide for the repeal of all Acts, all laws and parts of laws in conflict herewith.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hooton (with substitute):

S. 592. To amend Article II, Title 13, Sections 31, 32 and 33 of the Code of Alabama of 1940, as amended, to provide supernumerary judges for courts of record; to prescribe their tenure, duties, powers, fix their compensation and the method of payment, and to prescribe the terms and conditions under which members of the Supreme Court and the Court of Appeals may become such, and to amend Acts Nos. 243 and 244 of the Regular Session of the 1949 Legislature.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Patterson and Henderson:

S. 594. To amend Sections 1 and 12 of Act 515, approved July 9, 1945, as amended by Act 606, approved October 13, 1947, which establishes a State Employees' Retirement System."

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in Senate amendments to the following bills:

By Mr. Brannan:

H. 830. To authorize the governing body of Baldwin County, Alabama, to impose an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for enforcement of this act and fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of the said tax.

Also:

By Mr. Brannan:

H. 832. For the relief of E. F. Stuart by the payment to him of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for damages to the said E. F. Stuart, on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said E. F. Stuart has no recourse at law.

Also:

By Mr. Brannan:

H. 833. For the relief of Lloyd Martin by the payment to him of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for damages to the said Lloyd Martin, on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Lloyd Martin has no recourse at law.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature there is requested.

H. 831. To extend the boundary lines of the Town of Daphne, in Baldwin County, Alabama, so as to include in the territory of the said corporation of the Town of Daphne, in addition to the territory now embraced therein, the following described lands, to-wit: Beginning at the Northeast corner of Section 17, Township 5 South, Range 2 East, Baldwin County, Alabama, run thence South along the East line of Sections 17 and 20 to the South-east corner of Section 20, Township 5 South, Range 2 East, thence West to the half section post on the South line of Section 20, being the Southeast corner of the present corporate limits of the Town of Daphne, thence North along the center line of said Sections 20 and 17, which is the East boundary line of the corporate limits of the Town of Daphne, to the half section post on the North line of said Section 17, which is the Northeast corner of the corporate limits of the Town of Daphne, thence East along North line of said Section 17, to the point of beginning, the lands added to the corporate limits of the Town of Daphne by this Act being the East half of Section 17 and the East half of Section 20, Township 5 South, Range 2 East, Baldwin County, Alabama.

Also:

H. 839. To provide for the designation and appointment by the Court of County Commissioners of one or more banks as depository for the county funds of Henry County, to prescribe the time and method of selection of said depository or depositories, and to provide for security of said county funds to be given by said bank or banks.

Also:

H. 840. To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library.

Also:

H. 841. To authorize the Board of Revenue and Road Commissioners of Mobile County, Alabama, to purchase such uniforms as said Board of Revenue and Road Commissioners may deem necessary for the use of the uniformed personnel, deputies and other employees of the Sheriff of Mobile County, Alabama, or the Sheriff's Department of Mobile County, Alabama;

Also:

H. 870. To repeal An Act entitled An Act, to authorize and empower the governing body of all counties in this State, having a population of not less than 140,000 nor more than 400,000, to levy and collect an excise tax on cigarettes. prescribe the rate thereof; to authorize the governing body of such counties to prescribe the method and provide for the collection of such tax, and to provide for the disposition of revenues derived therefrom, being Act No. 413 of the 1943 session of the Legislature of Alabama, approved July 8, 1943, General Acts of Alabama, 1943, page 378.

Also:

H. 883. Relating to Etowah County: Authorizing and requiring the governing body of Etowah County to provide equipment, supplies, clerks, deputies and other assistants for certain county officers and offices; providing that such county officials shall select, fix the compensation of, and have the right to discharge their respective clerks, deputies and assistants; providing that the maximum amount of the combined salaries of clerks, deputies and assistants in each of such offices shall be determined by the county governing body; and providing that the salaries and compensation provided under the provisions hereof shall be in lieu of all other compensation.

Also:

H. 887. To propose an amendment to the Constitution relating to the levy and collection of a special property tax for public school purposes in St. Clair County.

Also:

H. 888. To amend Section 1 of an Act entitled "To allow the Sheriff of Blount County, Alabama, an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy Sheriff and to make the same payable out of the general fund of Blount County in monthly installments," approved September 6, 1935.

Also:

H. 889. To amend Section 1 of an Act entitled "To prescribe the salary and the amount of payment of the jailer of Blount County," approved June 3, 1943.

Also:

H. 890. To amend Section 1 of an Act entitled "To prescribe the salary and amount of payment of the same of the Chief Deputy Sheriff of Blount County," approved June 3, 1943.

Also:

H. 892. To amend Section 68 of Title 52 of the Code of Alabama (1940), which relates to the compensation of members of the county board of education.

Also:

H. 895. Abolishing the fine and forfeiture fund of Chambers County: providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

Also:

H. 906. To fix the compensation or salary to be paid the tax assessor of Montgomery County, Alabama, and to regulate the payment of same, to provide for the selection of clerical help and other assistance to said officer and the manner of fixing their compensation and paying the same, and to provide rules and regulations for the payment and conduct of such officer; and to require said officer to pay into the county treasury of said county all costs, charges of court, fees and commissions authorized by law to be collected by said officer as other monies belonging to said county are paid, except any salary, fees or commissions paid said officer for assessing or collecting taxes for any municipality.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

August 2, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I hereby respectfully request that you return to the Governor a message which was transmitted to your Honorable Body on Friday, July 29, 1949, returning Senate Bill No. 309, with suggested executive amendments.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, requesting the return of S. B. 309 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 174, with suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

August 2, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 174, with a suggested executive amendment.

Amend said bill by striking therefrom Section 5, and substituting therefor Section 5, to read as follows:

"Section 5. If an account is assigned as provided in Section 2, during the effective period of any recorded statement as provided in Section 3, the assignor, and any junior assignee of the account, shall be liable and accountable to the assignee under such assignment for all proceeds in any form of such account thereafter received by such assignor or junior assignee during the period of the validity of such statement, or any renewal thereof or any affidavit of continuance or renewal thereof; and any such assignor or junior assignee who after the date of such assignment, and during such period of validity of such statement, renewal statement, affidavit of continuance or renewal thereof, obtains the proceeds in any form of such account, shall be deemed to have received, effected or obtained the same for the use and benefit of the assignee under such assignment and shall be liable and accountable to him therefor."

This suggested amendment is made with the full knowledge and approval of the author of this bill, and if adopted will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Boutwell, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 174. To provide for the assignment of accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts receivable and of the persons owing the same, and of all persons interested therein, and to provide for the enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments.

Which amendment is set out in the foregoing Message from the Governor.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Coleman	Henderson	Mize	
Allen	Cooper	Hooton	Patterson	
Barrett	Fite	Hughes	Perry	
Boutwell	Gaither	Kimbrell	Quarles	
Bridges	Golson	Lamberth	Summerlin	
Burnside	Gulledge	Langan	Swift	
Cater	Hardwick	Lowe	Wright	
Clayton	Harvey			—29

Nay: Mr. Patton —1

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Coleman	Hooton	Mize	
Allen	Cooper	Howle	Patterson	
Barrett	Fite	Hughes	Perry	
Boutwell	Gaither	Kendall	Quarles	
Bridges	Golson	Kimbrell	Summerlin	
Burnside	Gulledge	Lamberth	Swift	
Cater	Henderson	Langan	Wright	
Clayton				—28

Nays: Messrs. Lowe and Patton —2

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Black and McDaniel:

H. 435. To amend Section 2 of the Act entitled "An Act, to re-divide the State into judicial circuits, and to provide for holding court in the several counties.", approved August 16, 1947.

Also:

By Messrs. Dumas, Beatty, Gibson, Adams (Jefferson) and Meeks:

H. 884. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the election of an incumbent thereof; to prescribe the jurisdiction, powers, authority, qualifications, duties, and compensation of such incumbent, and to render such incumbent liable to all the pains and penalties of other Circuit Judges in the State, and to further provide for a division of authority and duties between judgeships in said Circuit.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 435 and 884. To the Committee on Judiciary.

BILLS ON THIRD READING

The Bill:

H. 857. To provide that whenever a sentence is suspended and the defendant released on probation in the Juvenile and Domestic Relations Courts or any Courts of the same or similar jurisdiction in any county having a population of more than one hundred thousand (100,000) inhabitants according to the last or any succeeding Federal Census, under such terms and conditions of such courts as to require the defendant to pay money to the Clerk or Register of such Courts, a writ of garnishment may be issued by the Clerk or Register of such Courts under the rules and regulations prevailing in Circuit Courts in action at law.

was taken up.

Mr. Boutwell offered the following amendment to the bill, to-wit:

Amend House Bill 857 by striking from the caption thereof the words, "One Hundred Thousand (100,000)" and inserting in lieu thereof the words, "Seventy-five Thousand (75,000)," and by striking from Section 1 thereof the words "One Hundred

Thousand (100,000)" and inserting in lieu thereof the words "Seventy-five Thousand (75,000)".

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Cooper	Hughes	Patton	
Barrett	Gaither	Kendall	Perry	
Boutwell	Golson	Lamberth	Quarles	
Bridges	Gulledge	Langan	Summerlin	
Burnside	Henderson	Lowe	Swift	
Cater	Hooton	Mize	Wright	
Clayton				—28

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Patterson	
Allen	Cooper	Howle	Patton	
Barrett	Fite	Hughes	Perry	
Boutwell	Gaither	Kendall	Quarles	
Bridges	Glover	Kimbrell	Summerlin	
Burnside	Golson	Lamberth	Swift	
Cater	Gulledge	Langan	Wright	
Clayton	Henderson	Mize		—30

Nays:

—0

The Bill:

S. 431. To amend Sections 1 and 3 of Act No. 523, Senate Bill 315, approved September 30, 1947, entitled, "An Act To create and establish a Water Improvement Advisory Commission; to define the duties, jurisdiction, and powers of such commission; to provide for its personnel, and the term of office and method for appointment of same; to provide for regular and special meetings of said Commission; to appropriate the sum of Fifty Thousand and No/100 (50,000.00) Dollars annually for each of the fiscal years 1948 and 1949, for the purpose of carrying out the provisions of this Act; and for other purposes."

was taken up.

The Standing Committee on Public Health reported the following amendment to the bill, to-wit:

Amend Section 1 of Senate Bill 431 by striking the following words where they appear therein: "(p) Any person aggrieved

by a final decision of the Commission may appeal the decision by filing a petition in the Circuit Court of Montgomery County or the circuit court of the county in which he resides within sixty days after the date of the decision. Such action shall be tried on the Equity side of the said circuit court." and substituting therefor the following words: "(p) Any person aggrieved by a final decision of the Commission may appeal the decision by filing a petition in the Circuit Court of Montgomery County or the circuit court of the county in which he resides within sixty days after the date of the decision. Such action shall be tried de novo on the Equity side of the said circuit court."

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Cooper	Kendall	Patton
Allen	Gaither	Lamberth	Perry
Barrett	Glover	Langan	Quarles
Boutwell	Golson	Lowe	Russell
Bridges	Gulledge	Mize	Summerlin
Burnside	Henderson	Owens	Swift
Cater	Hooton	Patterson	Wright
Coleman	Howle		

—29

Nays:

—0

Mr. Henderson offered the following amendment to the bill, as amended, to-wit:

Amend Senate Bill No. 431 as amended by inserting after the first paragraph in Sub-section (g) of Section 3 the following:

The Commission shall designate streams currently used for industrial waste as industrial streams when not regarded by the Commission as necessary in the public interest for sources of municipal or industrial water supply, or for the development of the commercial shell fish industry or which are not considered important by the Commission for development as recreational areas.

The tributaries of East Creek in Walker County; Five Mile Creek, Village Creek, and Valley Creek in Jefferson County; Shirtee Creek in Talladega County; and the waters impounded by lock and dam No. 10 on the Warrior River in the vicinity of Tuscaloosa are hereby designated and declared to be industrial streams and shall not be subject to control except for reasonable requirements for feasible and economically profitable recovery plants for processing marketable by products. The Commission shall designate and include in this category as industrial streams, additional streams from time to time when information by survey and tests indicate to the satisfaction of the Commission that such designation is in the benefit of the public interest.

New industrial plants with waste products of a pollutional nature which are proposed for location on any stream shall be subject to the control of the provisions of this Act.

The Commission shall have authority to control new pollution from all sources and may correct existing pollution which is creating a health hazard, but before ordering other corrections its rules and regulations shall be approved by the Legislature either by legislative act or by resolution.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Patterson	
Allen	Cooper	Howle	Patton	
Barrett	Gaither	Kendall	Perry	
Boutwell	Glover	Lamberth	Russell	
Bridges	Golson	Langan	Summerlin	
Burnside	Hardwick	Lowe	Swift	
Cater	Harvey	Mize	Wright	
Clayton	Henderson	Owens		—30

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Coleman	Kendall	Patterson	
Allen	Cooper	Kimbrell	Patton	
Barrett	Golson	Lamberth	Perry	
Boutwell	Harvey	Langan	Russell	
Bridges	Henderson	Lowe	Summerlin	
Burnside	Hooton	Mize	Swift	
Cater	Hughes	Owens	Wright	
Clayton				—28

Nays: —0

REPORT FROM RULES COMMITTEE

Mr. President and Members of the Senate:

Your Committee on Rules returns herewith for immediate consideration the Governor's message with suggested amendments to seventeen Senate Bills Number 297 through 313 inclusive.

G. R. Swift.
G. R. SWIFT.

August 2, 1949.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency the Governor, to the bill, S. B. 297, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 21; Nays 10.

Yeas:

Messrs.:	Clayton	Hooton	Patterson
Allen	Coleman	Hughes	Patton
Boutwell	Cooper	Kendall	Russell
Bridges	Golson	Lowe	Swift
Burnside	Gulledge	Mize	Wright
Cater	Henderson		

—21

Nays:

Messrs.:	Hardwick	Kimbrell	Owens
Barrett	Harvey	Lamberth	Perry
Fite	Howle	Langan	

—10

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objections to the contrary notwithstanding.

Yeas 23; Nays 7.

Yeas:

Messrs.:	Clayton	Henderson	Patterson
Allen	Coleman	Hooton	Patton
Boutwell	Cooper	Hughes	Quarles
Bridges	Glover	Kendall	Russell
Burnside	Gulledge	Lowe	Swift
Cater	Hardwick	Mize	Wright

—23

Nays:

Messrs.:	Fite	Kimbrell	Langan
Barrett	Howle	Lamberth	Perry

—7

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency the Governor, to the bill, S. B. 298, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 22; Nays 9.

Yeas:

Messrs.:	Clayton	Hooton	Patton	
Allen	Coleman	Hughes	Quarles	
Boutwell	Glover	Kendall	Russell	
Bridges	Golson	Lowe	Swift	
Burnside	Gulledge	Mize	Wright	
Cater	Henderson	Patterson		—22

Nays:

Messrs.:	Fite	Lamberth	Owens	
Barrett	Howle	Langan	Perry	
Cooper	Kimbrell			—9

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 21; Nays 10.

Yeas:

Messrs.:	Clayton	Hooton	Patterson	
Allen	Coleman	Hughes	Quarles	
Boutwell	Glover	Kendall	Russell	
Bridges	Golson	Lowe	Swift	
Burnside	Gulledge	Mize	Wright	
Cater	Henderson			—21

Nays:

Messrs.:	Fite	Howle	Langan	
Barrett	Gaither	Kimbrell	Perry	
Cooper	Harvey	Lamberth		—10

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency the Governor, to the bill, S. B. 299, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 22; Nays 10.

Yeas:

Messrs.:	Coleman	Hooton	Patton	
Allen	Cooper	Hughes	Quarles	
Boutwell	Glover	Kendall	Russell	
Bridges	Golson	Lowe	Swift	
Cater	Gulledge	Mize	Wright	
Clayton	Henderson	Patterson		—22

Nays:

Messrs.:	Gaither	Howle	Langan	
Barrett	Hardwick	Kimbrell	Owens	
Fite	Harvey	Lamberth		—10

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 22; Nays 8.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Glover	Kendall	Quarles	
Boutwell	Golson	Lowe	Russell	
Bridges	Gulledge	Mize	Swift	
Cater	Hardwick	Owens	Wright	
Clayton	Henderson	Patterson		—22

Nays:

Messrs.:	Fite	Harvey	Kimbrell	
Barrett	Gaither	Howle	Langan	
Cooper				—8

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency the Governor, to the bill, S. B. 300, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 19; Nays 8.

Yeas:

Messrs.:	Clayton	Henderson	Patterson	
Allen	Coleman	Hughes	Patton	
Boutwell	Cooper	Kendall	Quarles	
Bridges	Glover	Lowe	Russell	
Cater	Gulledge	Mize	Swift	
				—19

Nays:

Messrs.:	Hardwick	Howle	Langan	
Barrett	Hooton	Lamberth	Owens	
Fite				—8

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 25; Nays 6.

Yeas:

Messrs.:	Cooper	Hooton	Patterson	
Allen	Gaither	Hughes	Patton	
Boutwell	Glover	Kendall	Quarles	
Bridges	Golson	Lowe	Russell	
Cater	Gulledge	Mize	Swift	
Clayton	Hardwick	Owens	Wright	
Coleman	Henderson			—25

Nays:

Messrs.:	Fite	Kimbrell	Langan	
Barrett	Howle	Lamberth		—6

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency the Governor, to the bill, S. B. 301, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 21; Nays 7.

Yeas:

Messrs.:	Coleman	Kendall	Patton	
Allen	Glover	Langan	Quarles	
Boutwell	Golson	Lowe	Russell	
Bridges	Gulledge	Mize	Swift	
Cater	Hooton	Patterson	Wright	
Clayton	Hughes			—21

Nays:

Messrs.:	Cooper	Gaither	Kimbrell	
Barrett	Fite	Howle	Lamberth	—7

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 23; Nays 7.

Yeas:

Messrs.:	Coleman	Hooton	Patterson
Allen	Cooper	Hughes	Patton
Boutwell	Glover	Kendall	Quarles
Bridges	Golson	Lowe	Russell
Cater	Gulledge	Mize	Swift
Clayton	Henderson	Owens	Wright

—23

Nays:

Messrs.:	Fite	Howle	Lamberth
Barrett	Gaither	Kimbrell	Langan

—7

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency the Governor, to the bill, S. B. 302, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 21; Nays 8.

Yeas:

Messrs.:	Coleman	Hughes	Patterson
Allen	Glover	Kendall	Patton
Boutwell	Golson	Lowe	Quarles
Bridges	Gulledge	Mize	Swift
Cater	Henderson	Owens	Wright
Clayton	Hooton		

—21

Nays:

Messrs.:	Fite	Howle	Lamberth
Barrett	Gaither	Kimbrell	Langan
Cooper			

—8

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 19; Nays 7.

Yeas:

Messrs.:	Clayton	Henderson	Patterson
Allen	Coleman	Hooton	Patton
Boutwell	Golson	Hughes	Quarles
Bridges	Gulledge	Lowe	Swift
Cater	Hardwick	Mize	Wright

—19

Nays:

Messrs.:	Cooper	Howle	Lamberth
Barrett	Fite	Kimbrell	Langan

—7

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, S. B. 303, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 21; Nays 7.

Yeas:

Messrs.:	Coleman	Hooton	Patton
Allen	Cooper	Hughes	Quarles
Boutwell	Glover	Lowe	Russell
Bridges	Golson	Mize	Swift
Cater	Gulledge	Patterson	Wright
Clayton	Henderson		

—21

Nays:

Messrs.:	Fite	Howle	Lamberth
Barrett	Hardwick	Kimbrell	Langan

—7

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 23; Nays 5.

Yeas:

Messrs.:	Cooper	Hooton	Patterson
Allen	Glover	Hughes	Patton
Boutwell	Golson	Kendall	Quarles
Bridges	Gulledge	Lamberth	Russell
Cater	Hardwick	Lowe	Swift
Coleman	Henderson	Mize	Wright

—23

Nays:

Messrs.:	Fite	Kimbrell	Langan
Barrett	Howle		

—5

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, S. B. 304, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 23; Nays 6.

Yeas:

Messrs.:	Coleman	Hooton	Patterson
Allen	Glover	Hughes	Patton
Boutwell	Golson	Kendall	Quarles
Bridges	Gulledge	Lamberth	Russell
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright

—23

Nays:

Messrs.:	Fite	Howle	Langan
Barrett	Hardwick	Kimbrell	

—6

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 23; Nays 7.

Yeas:

Messrs.:	Coleman	Hooton	Patton
Allen	Golson	Hughes	Perry
Boutwell	Gulledge	Kendall	Quarles
Bridges	Hardwick	Lowe	Russell
Cater	Harvey	Mize	Swift
Clayton	Henderson	Patterson	Wright

—23

Nays:

Messrs.:	Cooper	Howle	Lamberth
Barrett	Fite	Kimbrell	Langan

—7

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency, the Governor, to the bill:

S. 305. To amend Section 713 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

which amendment is set out in the message from the Governor in the Journal of the Senate for the Twenty-sixth Legislative Day.

Yeas 24; Nays 8.

Yeas:

Messrs.:	Glover	Lamberth	Patton	
Allen	Golson	Langan	Perry	
Boutwell	Gulledge	Lowe	Quarles	
Bridges	Henderson	Mize	Russell	
Cater	Hughes	Owens	Swift	
Clayton	Kendall	Patterson	Wright	
Coleman				—24

Nays:

Messrs.:	Fite	Harvey	Howle	
Barrett	Hardwick	Hooton	Kimbrell	
Cooper				—8

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 26; Nays 5.

Yeas:

Messrs.:	Glover	Howle	Patton	
Allen	Golson	Kendall	Perry	
Boutwell	Gulledge	Lamberth	Quarles	
Bridges	Hardwick	Langan	Russell	
Cater	Harvey	Lowe	Swift	
Clayton	Henderson	Owens	Wright	
Coleman	Hooton	Patterson		—26

Nays:

Messrs.:	Cooper	Howle	Kimbrell	
Barrett	Fite			—5

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, S. B. 306, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 19; Nays 6.

Yeas:

Messrs.:	Clayton	Hooton	Patterson
Allen	Coleman	Hughes	Patton
Boutwell	Glover	Kendall	Quarles
Bridges	Golson	Lamberth	Russell
Cater	Gulledge	Lowe	Swift

—19

Nays:

Messrs.:	Cooper	Howle	Langan
Barrett	Harvey	Kimbrell	

—6

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 22; Nays 3.

Yeas:

Messrs.:	Coleman	Hughes	Patton
Allen	Glover	Kendall	Quarles
Boutwell	Golson	Lamberth	Russell
Bridges	Gulledge	Langan	Swift
Cater	Harvey	Lowe	Wright
Clayton	Hooton	Patterson	

—22

Nays: Messrs. Barrett, Howle and Kimbrell —3

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, S. B. 307, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 22; Nays 8.

Yeas:

Messrs.:	Coleman	Hughes	Patton
Allen	Glover	Kendall	Perry
Boutwell	Golson	Lamberth	Quarles
Bridges	Gulledge	Langan	Russell
Cater	Harvey	Lowe	Wright
Clayton	Henderson	Patterson	

—22

Nays:

Messrs.:	Fite	Hardwick	Howle
Barrett	Gaither	Hooton	Kimbrell
Cooper			

—8

Which was a majority of the whole number elected to the Senate.

Mr. Lowe moved that the Senate reconsider the vote by which it non-concurred in the Governor's amendment to the bill, S. B. 307, and on motion of Mr. Patton, the motion to reconsider was laid on the table.

Yeas 23; Nays 6.

Yeas:

Messrs.:	Cooper	Hooton	Patton	
Allen	Glover	Hughes	Perry	
Boutwell	Golson	Kendall	Quarles	
Bridges	Gulledge	Lowe	Russell	
Cater	Harvey	Mize	Swift	
Coleman	Henderson	Patterson	Wright	
				—23

Nays:

Messrs.:	Fite	Howle	Langan	
Barrett	Hardwick	Lamberth		—6

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 22; Nays 5.

Yeas:

Messrs.:	Golson	Hughes	Patton	
Allen	Gulledge	Kendall	Quarles	
Boutwell	Hardwick	Lamberth	Russell	
Bridges	Harvey	Lowe	Swift	
Cater	Henderson	Mize	Wright	
Coleman	Hooton	Patterson		—22

Nays:

Messrs.:	Cooper	Howle	Langan	
Barrett	Fite			—5

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, S. B. 308, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 20; Nays 8.

Yeas:

Messrs.:	Glover	Hughes	Patton	
Allen	Golson	Kendall	Quarles	
Boutwell	Gulledge	Lowe	Russell	
Bridges	Harvey	Mize	Swift	
Cater	Henderson	Patterson	Wright	
Coleman				—20

Nays:

Messrs.:	Fite	Hooton	Lamberth	
Barrett	Hardwick	Howle	Langan	
Cooper				—8

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 22; Nays 8.

Yeas:

Messrs.:	Glover	Hughes	Perry	
Allen	Golson	Kendall	Quarles	
Boutwell	Gulledge	Lowe	Russell	
Bridges	Hardwick	Mize	Swift	
Cater	Harvey	Patterson	Wright	
Coleman	Hooton	Patton		—22

Nays:

Messrs.:	Fite	Howle	Lamberth	
Barrett	Gaither	Kimbrell	Langan	
Cooper				—8

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, S. B. 309, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 22; Nays 4.

Yeas:

Messrs.:	Coleman	Kendall	Perry	
Allen	Glover	Lamberth	Quarles	
Boutwell	Golson	Lowe	Russell	
Bridges	Gulledge	Mize	Swift	
Cater	Henderson	Patterson	Wright	
Clayton	Hughes	Patton		—22

Nays:

Messrs.:	Cooper	Howle	Langan	
Barrett				—4

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 20; Nays 5.

Yeas:

Messrs.:	Coleman	Kendall	Patton	
Allen	Glover	Lamberth	Quarles	
Boutwell	Golson	Lowe	Russell	
Bridges	Gulledge	Mize	Swift	
Cater	Hughes	Patterson	Wright	
Clayton				—20

Nays:

Messrs.:	Cooper	Howle	Langan	
Barrett	Harvey			—5

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, S. B. 310, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 23; Nays 5.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Glover	Kendall	Perry	
Boutwell	Golson	Lowe	Quarles	
Bridges	Gulledge	Mize	Russell	
Cater	Harvey	Owens	Swift	
Clayton	Henderson	Patterson	Wright	
				—23

Nays:

Messrs.:	Cooper	Lamberth	Langan	
Barrett	Fite			—5

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 23; Nays 5.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Glover	Kendall	Perry	
Boutwell	Golson	Lowe	Quarles	
Bridges	Gulledge	Mize	Russell	
Cater	Harvey	Owens	Swift	
Clayton	Henderson	Patterson	Wright	
				—23

Nays:

Messrs.:	Cooper	Lamberth	Langan	
Barrett	Fite			—5

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, S. B. 311, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 20; Nays 6.

Yeas:

Messrs.:	Glover	Kendall	Perry	
Allen	Golson	Lowe	Quarles	
Boutwell	Gulledge	Mize	Russell	
Bridges	Henderson	Patterson	Swift	
Cater	Hughes	Patton	Wright	
Coleman				—20

Nays:

Messrs.:	Fite	Howle	Langan	
Cooper	Hooton	Lamberth		—6

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Fite	Hooton	Patterson	
Allen	Glover	Howle	Patton	
Boutwell	Golson	Hughes	Perry	
Bridges	Gulledge	Kendall	Quarles	
Cater	Hardwick	Lamberth	Russell	
Clayton	Harvey	Lowe	Swift	
Coleman	Henderson	Mize	Wright	
Cooper				—28

Nays: Messrs. Kimbrell and Langan —2

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, S. B. 312, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 21; *Nays* 7.

Yeas:

Messrs.:	Coleman	Hughes	Perry	
Allen	Glover	Kendall	Quarles	
Boutwell	Golson	Lowe	Russell	
Bridges	Gulledge	Mize	Swift	
Cater	Henderson	Patterson	Wright	
Clayton	Hooton			—21

Nays:

Messrs.:	Hardwick	Howle	Lamberth	
Fite	Harvey	Kimbrell	Langan	
				—7

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 25; *Nays* 4.

Yeas:

Messrs.:	Cooper	Hooton	Patton	
Allen	Glover	Hughes	Perry	
Boutwell	Golson	Kendall	Quarles	
Bridges	Gulledge	Lowe	Russell	
Cater	Hardwick	Mize	Swift	
Clayton	Harvey	Patterson	Wright	
Coleman	Henderson			—25

Nays:

Messrs.:	Howle	Kimbrell	Langan	—4
Fite				

Which was a majority of the whole number elected to the Senate.

CONSIDERATION OF GOVERNOR'S MESSAGE

On motion of Mr. Lowe the Senate non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, S. B. 313, which amendment is set out in the message from the Governor in the Journal of the Senate for the twenty-sixth Legislative day,

Yeas 25; Nays 3.

Yeas:

Messrs.:	Glover	Kendall	Patton	
Allen	Golson	Lamberth	Perry	
Boutwell	Gulledge	Langan	Quarles	
Bridges	Hardwick	Lowe	Russell	
Cater	Harvey	Mize	Swift	
Clayton	Henderson	Patterson	Wright	
Coleman	Hooton			—25

Nays: Messrs. Cooper, Fite and Howle —3

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the bill; and said bill was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 26; Nays 4.

Yeas:

Messrs.:	Cooper	Kendall	Patton	
Allen	Glover	Lamberth	Perry	
Boutwell	Golson	Langan	Quarles	
Bridges	Gulledge	Lowe	Russell	
Cater	Hardwick	Mize	Swift	
Clayton	Henderson	Owens	Wright	
Coleman	Hooton	Patterson		—26

Nays:

Messrs.:	Harvey	Howle	Kimbrell	—4
Fite				

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

By Mr. Boutwell:

S. 174. To provide for the assignment of accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts receivable and of the persons owing the same, and of all persons interested therein, and to provide for the enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 81; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 82; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Snodgrass:

H. J. R. 112. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two Houses adjourn today, they adjourn to meet on Friday, August 5, 1949, at 9 o'clock, A. M.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Swift, the rules were suspended and the resolution H. J. R. 112, set out in the foregoing Message from the House, was adopted by the Senate.

RESOLUTION

Mr. Mize offered the following Senate Joint Resolution, to-wit:

S. J. R. 61. WHEREAS, Dean William M. Hepburn has tendered his resignation as Dean of the University of Alabama Law School, and

WHEREAS, the members of the Legislature hold Dean Hepburn in the highest esteem and admire and respect his proven abilities as a scholar, teacher and administrator, and feel that he represents the highest and best traditions and principles of the legal profession, and

WHEREAS, the members of the Legislature deeply regret the loss of Dean Hepburn to the University and the State, now therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. The members of the Legislature hereby express their sincere regret at the resignation of Dean William M. Hepburn as Dean of the University of Alabama Law School, and extend to him their thanks and appreciation for his great contributions to the University, the Alabama bar, and the progress and welfare of the State, and offer their best wishes for his success in the future.

2. The Secretary of the Senate is directed to transmit a copy of this Resolution to Dean Hepburn.

And on motion of Mr. Mize, the rules were suspended and the resolution adopted by the Senate.

FURTHER CONSIDERATION OF S. B. 199

The Senate proceeded to further consideration of the bill:

S. 199. Relating to motor vehicles: To amend Section 89 of Title 36 of the Code of Alabama (1940), as amended.

and pending substitute offered by Mr. Hardwick, which substitute is set out in the Journal of the Senate for the twenty-sixth Legislative Day, for the committee substitute, which substitute is also set out in the Journal of the Senate for the twenty-sixth Legislative Day.

The question then recurred on the motion of Mr. Owens to postpone further consideration of the bill, S. B. 199, and pending substitutes, to the Thirty-fifth Legislative Day, which motion was made on the Twenty-sixth Legislative Day and carried over as unfinished business, and the motion to postpone was adopted.

Yeas 23; Nays 11.

Yeas:

Messrs.:	Cater	Harvey	Owens
Allen	Clayton	Hooton	Patterson
Barrett	Cooper	Howle	Perry
Boutwell	Gaither	Kendall	Quarles
Bridges	Glover	Langan	Russell
Burnside	Gulledge	Lowe	Wright

—23

Nays:

Messrs.:	Golson	Kimbrell	Patton
Coleman	Hardwick	Lamberth	Summerlin
Fite	Henderson	Mize	Swift

—11

Mr. Hooton then moved that further consideration of the bill, S. B. 199, and pending substitutes be indefinitely postponed, which was adopted.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in session, has carefully examined the Journals of the Senate for the twenty-fifth and twenty-sixth legislative days and finds same correct and containing all original entries and references thereto required by the Constitution.

V. S. SUMMERLIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. Summerlin, the foregoing report was concurred in and the Journals of the Senate for the twenty-fifth and twenty-sixth Legislative Days approved by the Senate.

ADJOURNMENT

At 5:05 P. M. on motion of Mr. Harvey and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, August 5, 1949, at 9:00 A. M.

Yeas 18; Nays 16.

Yeas:

Messrs.:	Gaither	Howle	Patton	
Barrett	Golson	Hughes	Perry	
Clayton	Hardwick	Kimbrell	Russell	
Coleman	Harvey	Lamberth	Summerlin	
Fite	Hooton	Owens		—18

Nays:

Messrs.:	Cater	Kendall	Patterson	
Allen	Glover	Langan	Quarles	
Boutwell	Gulledge	Lowe	Swift	
Bridges	Henderson	Mize	Wright	
Burnside				—16

TWENTY-EIGHTH LEGISLATIVE DAY

FRIDAY, AUGUST 5, 1949

The Senate met pursuant to adjournment, Lieutenant Governor Inzer presiding.

PRAYER

The session was opened with prayer by Rev. W. H. Swearingen, Chaplain, Alabama Prison System, Kilby Prison, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright
Coleman	Hooton	Owens	

—34

JOURNAL

On motion of Mr. Patterson the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 521. To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library.

Also:

S. 536. To make additional provisions respecting the election of members of the board of directors of any public corporation hereafter organized for hospital purposes under the provisions of Act No. 46 adopted at the 1949 session of the Legislature of Alabama in each county having a population of more than 73,000 inhabitants and not more than 113,000 inhabitants according to the last or any subsequent Federal census.

Also:

S. 538. To impose extra, new and additional duties upon the Solicitor of the Sixth Judicial Circuit of Alabama; to provide additional compensation for said Solicitor for the performance of the extra, new and additional duties hereby imposed upon him; and to provide for the payment of such additional compensation by Tuscaloosa County.

Also:

S. 555. Supplemental to Act No. 538, H. 1009, approved September 16, 1939 (Local Acts of Alabama, 1939, page 329), as amended, which establishes the Inferior Court of Geneva County: To increase the jurisdiction of the Court and to increase the compensation of the judge of the Court for the performance of the additional duties resulting therefrom.

Also:

S. 556. To authorize and direct the governing body of Geneva County to pay the salary of an additional clerk or deputy for the Sheriff of the County.

Also:

S. 558. Relating to Tuscaloosa County: To provide further for the salaries and compensation of clerks, deputies and assistants to the Judge of Probate of Tuscaloosa County, Alabama.

Also:

S. 559. To amend Section 2 of Act No. 93, S. 127, approved April 7, 1936 (Local Acts of Alabama, Extra Session 1936, page 53) entitled "An Act To regulate the office of the sheriff of Tuscaloosa County, Alabama; to exempt the sheriff of said county from court costs; to fix the compensation or salary to be paid the sheriff of Tuscaloosa County, Alabama, and to regulate the payment of the same; to fix the number and compensation of the sheriff's deputies, guards, jailers, and other employees of the sheriff; to require the deputy sheriffs and special deputy sheriffs of said sheriff to execute official bonds conditioned, payable and approved as the bond of the sheriff; to exempt the sheriff of said County from liability for the acts of the deputies, except in certain cases; to provide for the appointment and compensation of special deputies; to provide for the payment of the premium on the sheriff's and all deputies' bonds out of the County Treasury; to provide that all fees, charges and commissions taxable and collected as sheriff's fees, charges or commissions be paid into the County Treasury, including fees for feeding prisoners, to be paid into the general fund of said County; to provide for the payment of the expenses of the office of said sheriff, including the costs of supplying and maintaining automobiles used by said

sheriff in his official business, and authorizing the Board of Revenue to appropriate the necessary money for such expenses, and to regulate the expenditure of same; authorizing the sheriff of said County to employ an attorney to advise and represent him, whose compensation is to be fixed by the Board of Revenue and paid out of the County Treasury; abolishing in so far as it relates to Tuscaloosa County, Alabama, sheriff's fees provided for in Section 6717 of the Code of Alabama, 1923, and providing that the sheriff of said county shall furnish bailiffs required in Section 6716 of the Code of Alabama, 1923; to provide that said County shall not be liable for the acts or omissions of said sheriff or any of his deputies, guards, jailers or other employees; to repeal all laws and parts of laws, which, as applied to Tuscaloosa County, Alabama, are in conflict with the provisions of said Act; and providing when and how said Act shall become effective."

Also:

S. 560. To amend Section 1 of Act No. 129, H. 525, approved June 12, 1935 (Local Acts of Alabama, 1935, page 62) entitled "An Act To Fix The Compensation Or Salary To Be Paid The Judge Of Probate Of Tuscaloosa County, Alabama, And To Regulate The Payment Of The Same; To Provide For The Compensation Of Clerks, Deputies, Clerical Assistants And Other Expenses In The Probate Office Of Tuscaloosa County, Alabama, And To Require Said Judge Of Probate To Collect All The Fees, Compensation And Allowances Heretofore Or Hereafter Collected By Said Judge Of Probate, And To Pay Same Into The County Treasury Of Tuscaloosa County; To Provide For The Payment Of The Salary Or Compensation Of Said Judge Of Probate And The Clerks, Deputies And Other Clerical Assistants, And Other Office Expenses, Out Of The Funds Of Tuscaloosa County, And To Provide Rules And Regulations For The Management And Operation Of Such Office Made Necessary By Changing The Method And Basis Of Compensation Of Such Judge Of Probate, And To Prescribe When This Act Shall Go Into Effect."

Also:

S. 561. Relating to Tuscaloosa County: To provide further for the salaries or compensation of the clerks, deputies and assistants to the Circuit Clerk of Tuscaloosa County, Alabama.

Also:

S. 562. Relating to Tuscaloosa County: To authorize the employment of a stenographic secretary by the Circuit Solicitor of Tuscaloosa County, and authorizing the payment of the salary of such stenographic secretary out of the treasury of Tuscaloosa County.

Also:

S. 563. To amend Section 1 of Act No. 128, H. 524, approved June 12, 1935 (Local Acts of Alabama, 1935, page 61) entitled "An Act To Fix The Compensation Or Salary To Be Paid The Tax Assessor of Tuscaloosa County, Alabama, And To Regulate The Payment Of The Same: To Provide For Compensation Of Clerks, Deputies, Clerical Assistants And Other Expenses In Said Office Of The Tax Assessor of Tuscaloosa County, Alabama, And To Require Said Tax Assessor To Collect All The Fees, Compensation And Allowances Heretofore Or Hereafter Authorized To Be Collected By Him, And To Pay Same Into The County Treasury Of Tuscaloosa County; To Provide For The Payment Of The Salary Or Compensation Of Said Tax Assessor Of Tuscaloosa County, And The Clerks, Deputies And Other Clerical Assistants And Other Office Expenses Out Of The Funds Of Tuscaloosa County, And To Provide Rules and Regulations For The Management And Operation Of Such Office Made Necessary By Changing The Method And Basis Of Compensation Of Said Tax Assessor, And To Prescribe When This Act Shall Go Into Effect."

Also:

S. 564. Relating to Tuscaloosa County: To provide further for the salaries and compensation of clerks, deputies and assistants to the Tax Assessor of Tuscaloosa County, Alabama.

Also:

S. 565. To amend Section 1 of Act No. 130, H. 526, approved June 12, 1935 (Local Acts of Alabama, 1935, page 64) entitled "An Act To Fix The Compensation Or Salary To Be Paid The Tax Collector Of Tuscaloosa County, Alabama, And To Regulate The Payment Of The Same; To Provide For Compensation Of Clerks, Deputies, Clerical Assistants And Other Expenses In Said Office Of The Tax Collector Of Tuscaloosa County, Alabama, And To Require Said Tax Collector To Collect All The Fees, Compensation And Allowances Heretofore Or Hereafter Authorized To Be Collected By Him, And To Pay Same into The County Treasury Of Tuscaloosa County; To Provide For The Payment Of The Salary Or Compensation Of Said Tax Collector Of Tuscaloosa County, And The Clerks, Deputies And Other Clerical Assistants, And Other Office Expenses Out Of The Funds Of Tuscaloosa County, And To Provide Rules And Regulations For The Management And Operation Of Such Office Made Necessary By Changing The Method And Basis Of Compensation Of Such Tax Collector, And To Prescribe When This Act Shall Go Into Effect."

Also:

S. 566. Relating to Tuscaloosa County: To provide further for the salaries and compensation of the clerks, deputies and assistants to the Tax Collector of Tuscaloosa County, Alabama.

Also:

S. 174. To provide for the assignment of accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts receivable and of the persons owing the same, and of all persons interested therein, and to provide for the enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Mize:

S. B. 608. To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Notice is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Tuscaloosa, in the County of Tuscaloosa, State of Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all of the territory lying within the County of Tuscaloosa in-

cluded within the following described boundaries, namely: Beginning at a point on the right or north bank of the Warrior River where the center line, north and, south through Section 21, Township 21 South, Range 10 West, Tuscaloosa County, Alabama, intersects the low water line of said river, and running thence south along said center line through said Section 21 and along the center line through Section 28, Township 21 South, Range 10 West, to the south line of said Section 28, thence eastwardly along the south line of said Sections 28 and 27 to the southeast corner of the southwest quarter of said Section 27, thence northwardly along the east line of the southwest quarter of said Section 27 to the south margin of the road which lies on the south side of the Kennedy Realty Company Resurvey of the F. E. Shide Survey, as shown by the plat of said resurvey recorded in Plat Book 2 at page 45 in the Office of the Probate Judge of Tuscaloosa County, Alabama (said road being the street or road designated on said plat as being "County Road" and it being the intention hereof to include said road or street within the city), thence northeastwardly along the south line of said road to an intersection with the west line extended southwardly of Lot 66 of the J. J. Harris Survey as shown by plat thereof recorded in Plat Book 1 at page 19 in the Office of the Probate Judge of Tuscaloosa County, Alabama, thence northwardly along the extension southwardly of said west line of said Lot 66 and along the west line of said Lot 66 to the south margin of South Eighth Avenue, as said South Eighth Avenue is shown on said plat of said J. J. Harris Survey, said South Eighth Avenue being now designated on the map of the City of Tuscaloosa and known as "Twenty-Fourth Street," thence eastwardly along the south margin of said South Eighth Avenue or Twenty-Fourth Street and the extension eastwardly of the same to the west line of East First Avenue according to the Tuscaloosa Coal, Iron and Land Company Survey, said East First Avenue being designated on the City map and known as Seventeenth Avenue, thence southwardly along the west line of said East First Street or Seventeenth Avenue and the extension of the same southwardly to the intersection of the same with the south line of Section 26, Township 21 South, Range 10 West, thence eastwardly along the south line of said Section 26 to an intersection with the east line of the Dr. T. M. Leatherwood Sub-division, a plat of which is recorded in Plat Book 2 at Page 18 in the Office of the Probate Judge of Tuscaloosa County, Alabama, extended southwardly, thence northwardly along the extension southwardly of said east line of said Dr. T. M. Leatherwood Subdivision to the southeast corner of said Dr. T. M. Leatherwood Subdivision, thence northwardly along the east line of said Dr. T. M. Leatherwood Subdivision and the east line of the Leatherwood Subdivision No. 2, a plat of which is recorded in Plat Book 4 at Page 156 in the Office of the Probate Judge of Tuscaloosa County, Alabama, to an intersection with the south line of the northeast quarter of the southwest quarter of said Section 26, thence eastwardly along the south line of said northeast quarter of said southwest quarter of said Section 26 and the south line of the northwest quarter of the southeast quarter and the south line of the northeast quarter of the southeast quarter of said Section 26 and the south line of the northwest quarter of the southwest quarter of Section 25, Township 21 South, Range 10 West, to the intersection of the same with the west line of Harrison Street, as said Harrison Street is shown on the plat of Lee Addition, which plat is recorded in Plat Book 3 at Page 95 in the Office of the Probate Judge of Tuscaloosa County, Alabama, thence northwardly along the west line of said Harrison Street and the extension northwardly of the same, to an intersection with the north margin of the Hargrove Road, thence eastwardly along the north margin of said Hargrove Road to an intersection of the same with the east line of said Section 25, Township 21 South, Range 10 West, thence northwardly along said east line of said Section 25 to the southeast corner of the northeast

quarter of said Section 25, thence eastwardly along the south line of the northwest quarter of Section 30, Township 21 South, Range 9 West, a distance of two thousand sixty seven (2067) feet to a point, thence northwardly parallel to the west line of said Section 30 to a point on the south margin of Fifteenth Street, thence eastwardly along the south margin of Fifteenth Street to an intersection with the west line of the northeast quarter of said Section 30, thence southwardly along said west line of said northeast quarter of said Section 30 to the southwest corner of the northwest quarter of the northeast quarter of said Section 30, thence eastwardly to the southeast corner of the northeast quarter of the northeast quarter of said Section 30, thence south wardly to the southwest corner of the southwest quarter of the northwest quarter of Section 29, Township 21 South, Range 9 West, thence eastwardly along the south line of the southwest quarter of the northwest quarter of said Section 29 to the southeast corner of the same, thence northwardly along the east line of the west half of the northwest quarter of said Section 29 to the south margin of Fifteenth Street, thence eastwardly along the south margin of said Fifteenth Street to an intersection of the same with the center line north and south through the center of said Section 29, Township 21 South, Range 9 West, thence northwardly along the center line, north and south, through the center of said Section 29, and along the center line, north and south through Section 20, Township 21 South, Range 9 West, to the northeast corner of the southwest quarter of said Section 20, thence eastwardly along the center line, east and west, through said Section 20 and along the center line, east and west, through Section 21, Township 21 South, Range 9 West, to the southeast corner of the southwest quarter of the northwest quarter of said Section 21, thence northwardly along the east line of the west half of the northwest quarter of said Section 21 to the north line of said Section 21, thence westwardly along the north line of said Section 21 and of said Section 20 to an intersection of the same with the west margin of the New Holt Road, thence northwardly along said west line of said New Holt Road to an intersection of the same with the north margin of the right of way of the main line of the Louisville and Nashville Railroad Company, thence westwardly along said north line of said right of way of said railroad to an intersection of the same with the west line of Section 17, Township 21 South, Range 9 West, thence southwardly along the west line of said said Section 17 to the southwest corner of said Section 17, thence westwardly along the north line of Section 19, Township 21 South, Range 9 West, to the northwest corner of the northeast quarter of the northeast quarter of said Section 19, thence southwardly along the west line of the northeast quarter of the northeast quarter of said Section 19 to an intersection of the same with the east line of the right of way of the Warrior Branch of the Gulf, Mobile and Ohio Railroad, thence northwardly along the east line of said right of way of said Warrior Branch of said railroad company to an intersection of the same with the north margin of the main line of the right of way of the Louisville & Nashville Railroad Company, thence westwardly along said north line of said right of way of said Louisville and Nashville Railroad Company to an intersection of the same with the center line north and south through the west half of Section 18, Township 21 South, Range 9 West, thence northwardly along said north and south center line through the west half of said Section 18, and the extension northwardly of the same, to an intersection with the low water line on the right or north bank of the Warrior River, thence westwardly along said low water line to the point of beginning.

Section 2. That all laws and parts of laws general, special and local in conflict with this Act, be and the same are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its approval by the Governor.

Tuscaloosa News July 9, 16, 23, 30-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on July 9, July 16, July 23, and July 30, all in the year 1949.

BUFORD BOONE.

Sworn to and subscribed before me August 1, 1949.

LILLA COLLINS,

Notary Public in and for Tuscaloosa County, Alabama.

(SEAL)

By Mr. Allen:

S. B. 609. To amend Section 17, Title 17, of the Code of Alabama for 1940.

Committee on Judiciary.

By Messrs. Hardwick, Hooton, Fite and Mize:

S. B. 610. To provide for the designation of a hospital association or board heretofore or hereafter organized under the provisions of Act No. 211, General Acts of Alabama, approved July 7, 1945 (Acts of 1945, page 330) or under the provisions of Act No. 46 adopted by the 1949 Regular Session of the Legislature of Alabama approved June 2, 1949, as the agency of the county to acquire, construct, equip, operate and maintain public hospital facilities in any county in which a special county tax for public hospital purposes has heretofore or shall hereafter be authorized at an election held in the county pursuant to the provisions of any amendment to the Constitution; to provide for the payment of proceeds of the special county tax to such hospital association or board so designated; to confer authority upon such hospital association or board to anticipate the proceeds of any such special county tax required to be paid to it by the issuance of securities and to pledge for the payment of the principal and interest thereon, not exceeding 75% of the annual proceeds from said tax so paid to it; to authorize the pledge of all or any part of the revenues of such hospital association or board in payment of its securities and the mortgage of all or any part of the property, real or personal, or any interest therein of such hospital association or board as security for such payment; to provide for the sale of such securities and for the validation of said tax and of the agreements and pledge made for such securities; and to repeal Act No. 237 adopted by the 1949 Regular Session of the Legislature of Alabama and approved July 14, 1949.

Committee on Public Health.

By Messrs. Mize and Swift:

S. B. 611. To amend Section 1 of Act No. 607, S. 202, approved

October 9, 1947 (General Acts of Alabama, 1947, page 456) entitled "An Act To make an annual appropriation to provide a retirement benefit to any State employee who had attained age 60 on or before October 1, 1945; who declined membership in the Alabama Employees' Retirement System in the manner prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as a state employee; and to provide a supplement to the retirement benefit of any state employee who had attained age 60 on October 1, 1945, and who is or will be retired under the provisions of Act 515, approved July 9, 1945 with a minimum of 15 years of service as a state employee, and who is not entitled under the provisions of said Act 515 to receive a retirement benefit in excess of \$60.00 per month; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund appropriated by this act."

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Fite, Vice-Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cater:

S. 593. Relating to insurers not authorized to transact business in this State; providing for actions in this state against and for the service of process upon such insurers; and prescribing how a defense may be made by such insurers.

By Mr. Dumas:

H. 165. To prescribe the exclusive procedures for State of Alabama administrative agencies to follow in the exercise of rule-, order-, and decision-making authority, to provide for judicial review of their actions, and to repeal all laws and parts of laws in conflict.

By Messrs. Black and McDanal:

H. 435. To amend Section 2 of the Act entitled "An Act, to re-divide the State into judicial circuits, and to provide for holding court in the several counties.", approved August 16, 1947.

By Mr. Gibson:

H. 589. To amend Section 752, Title 51, Article 10, Chapter 20, of the 1940 Code of Alabama.

By Messrs. Merrill and Meeks:

H. 709. To confer upon the Board of Commissioners of the State Bar additional powers relative to the selection, number,

tenure, compensation, duties, and authority of the Board of Bar Examiners; repealing conflicting laws.

By Messrs. McIlwain and Roberts:

H. 726. To make it a felony for a father to fail or refuse without just cause or legal excuse to provide for the support and maintenance of his child or children, or to fail to comply with terms of a court order requiring him to support his child or children.

By Mr. Dumas, et al

H. 884. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the election of an incumbent thereof; to prescribe the jurisdiction, powers, authority, qualifications, duties, and compensation of such incumbent, and to render such incumbent liable to all the pains and penalties of other Circuit Judges in the State, and to further provide for a division of authority and duties between judgeships in said circuit.

By Mr. Patterson:

S. 535. To provide for and require certificates of price on all purchases by governmental agencies and to provide penalties for failure and/or refusal to carry out the provisions of the Act.

By Messrs. McIlwain, Inzer and Roberts:

H. 125. To revise Chapter 13 of Title 7 of the 1940 Code, which relates to exemptions from levy and sale under process and from administration and payment of debts, by amending Sections 625, 652, 653, 654, 656, 661, 662, 663, 673, 674, 683, 685, 686, 687, 689, 691, 692, 693 thereof so that the value of the homestead exemption will be increased from two thousand dollars to four thousand dollars.

By Mr. Dumas:

H. 168. To amend Section 9 of Title 34 of the Code of Alabama (1940), which relates to the issuance of marriage licenses.

By Mr. Brown:

H. 237. To amend Section 298 of Title 55 of the Code of Alabama (1940), which relates to the qualifications, compensation, and removal of the Director of the State Personnel Department.

By Messrs. Morring, Vann and Barnett:

H. 214. To make it a felony for any person to personate a notary.

By Mr. Lovelace:

H. 697. To provide for the assessment of Solicitor's fees as a part of the costs of appeals from judgments rendered in municipal courts.

By Mr. Harris:

H. 598. To charge the estate and all property of a decedent with the payment of reasonable funeral expenses incurred with

respect to the burial of such decedent; and to provide that the property of such decedent may be sold, if necessary, for the payment of such expenses.

Mr. Fite, Vice-Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Patterson (with substitute):

S. 69. To provide that gambling shall not be indirectly legalized by licensing illegal gambling paraphernalia and to forbid the levying and collecting of license or privilege taxes by the State of Alabama on any gambling devices prescribed by Section 283 of Title 14 of the Code of Alabama (1940).

Mr. Fite, Vice-Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate without recommendation with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Gullledge and Owens (without recommendation) (with substitute):

S. 414. To regulate trafficking in poles, posts, logs, or parts thereof, whether growing or dead, standing or cut down; requiring vendors of poles, posts, logs, or parts thereof taken or severed from the lands of another to be licensed by the Department of Conservation; invalidating sales of such poles, posts, logs, or parts thereof, unless bills of sale are executed; imposing upon buyers the rule of caveat emptor as to such sales; defining violations of the Act and prescribing penalties therefor.

By Mr. Adams (Jefferson) (without recommendation) (with substitute):

H. 449. Relating to private employment agencies; to provide for the licensing of such agencies; regulating their fees and providing for the refund of fees under certain conditions; requiring them to keep certain records; requiring them to issue a receipt for all fees collected; providing for the forfeiture and disposition of unclaimed fees, and administration of this Act; and prescribing penalties and damages for certain violations of the Act.

Mr. Fite, Vice-Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate without recommendation, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gullledge (without recommendation):

S. 583. To provide that all circuit court clerks who are ex

officio clerks of certain inferior courts shall receive circuit court fees in preliminary hearing in felony cases, cases involving domestic relations, and other cases; to provide that said costs or fees shall be paid from the fine and forfeiture fund of the county or its equivalent; to require said clerks to perform certain duties at preliminary hearings and in certain other cases; and to repeal laws in conflict with this Act.

By Messrs. Patterson and Henderson (without recommendation):

S. 534. To provide a continuous, coordinated, and integrated system of corrections: creating the State Department of Corrections and abolishing the existing Department of Corrections and Institutions; establishing within the new department the State Board of Corrections, the office of Commissioner of Corrections, the Bureau of Prisons, the Bureau of Youth Correction, and the Bureau of Pardons, Paroles and Probation.

By Messrs. Stone, Sullivan and Johnston (without recommendation):

H. 93. To amend Section 176 of Title 41 of the Alabama Code of 1940.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Haynes (of Franklin) (with substitute):

H. 464. To amend Section 647 of Title 51 of the 1940 Code, which relates to the excise tax on gasoline.

By Mr. Mize (with substitute):

S. 319. To amend Sections 1, 3, 4, 5, 8, and 12 of Act 515, approved July 9, 1945, to provide benefits for State and Municipal policemen and to provide for four per cent contributions from general employees and to grant certain prior service credit to former teachers.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Faulk and McGowin:

H. 295. To amend Title 5, Section 410, Code of Alabama 1940, to provide for the general revenue; and to further provide that applications for refund where income taxes have been paid through mistake or error shall be made within three years from date of payment to apply to payments made on or after January 1, 1949; and to also amend Title 51, Section 412, Code of Alabama 1940,

to provide for the general revenue; and to provide that the amount of income taxes imposed by this title shall be assessed within three years after the return was filed; and by providing that the State Department of Revenue may assess and institute proceedings for the collection of the income taxes so imposed, at any time within five years from the date of the filing of an income tax return with the State of Alabama if the taxpayer has omitted from the gross income, as defined in Section 384 of said title, an amount in excess of twenty-five per centum (25%) of the amount of the gross income as reported in said return to apply to income tax returns for fiscal accounting years or calendar years beginning on and after January 1, 1949.

By Mr. Cater (by request):

S. 113. To appropriate ten thousand (\$10,000.00) dollars to the Blue and Gray Association.

By Messrs. Lamberth and Boutwell:

S. 569. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

By Messrs. Boutwell and Lamberth:

S. 568. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

By Mr. Boutwell:

S. 491. To further define and extend the powers, authority and duties of the Deputy Circuit Solicitor of the Tenth Judicial Circuit of the State of Alabama who is elected by the people; to provide and impose additional duties for such Deputy Circuit Solicitor, and to provide for additional compensation for such Deputy Circuit Solicitor, and to make provision for the payment of such additional compensation.

By Mr. Boutwell:

S. 492. To amend Title 13, Section 253, Code of Alabama 1940, as amended by General Acts of the Legislature 1947, approved July 21, 1947.

By Mr. Busby:

H. 640. For the relief of Joel A. Bamberg. Whereas, Joel A. Bamberg, while in the course of his employment by the State Highway Department as a right-of-way foreman, was injured in an accident in Walker County on March 14, 1938 which resulted in his being ninety per cent blinded for industrial purposes, and WHEREAS, Joel A. Bamberg is now in need of an operation and medical care and will permanently be totally or partially disabled from earning a living.

Mr. Henderson, Chairman of the Standing Committee, on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the

Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Morring and Wallace (with amendment):

H. 285. To provide for tax exemption of special homes for paraplegics authorized by and acquired under the provisions of Public Law No. 702, 80th Congress, 2nd Session.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Shelton and White (Perry) (without recommendation):

H. 308. To require the expense of publication of the Governor's proclamation concerning any proposed amendment to the Constitution of Alabama to be paid out of the general fund of the State of Alabama; and to make an appropriation for the payment of the same.

Mr. Hardwick, Chairman of the Standing Committee on Public Roads and Highways reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Patterson:

S. 472. To amend Section 2 of Title 36 of the Code of Alabama (1940), as amended in 1947.

By Mr. Hardwick:

S. 514. To amend Section 3 of Act No. 492, H. 778, approved September 30, 1947, (General Acts of Alabama, 1947, p. 338), entitled, "An Act relating to and regulating contracts for public works; and to repeal Chapter 1, Title 50, of the Code of Alabama, 1940, Sections 1 to 15, inclusive."

Mr. Hardwick, Chairman of the Standing Committee on Public Roads and Highways reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris (with amendment):

H. 771. To revise Chapter 3 of Title 36 of the Code of Alabama (1940), which relates to motor vehicles and more particularly to the measurement of vehicles, loads on vehicles, certain equipment required of vehicles and regulations relative to the size and weight of vehicles, by amending Sections 78, 85, 87, and 88.

By Mr. Harris (with amendment):

H. 770. To revise Chapter 1 of Title 36 of the Code of Alabama (1940), which relates to motor vehicles and more particularly to the rules of the road, by amending Sections 1, 16, 17, 19, 20, 26, 27, 38, 39, 40, 41, 42, 46, 48, 51, 52, 55, and 56, and repealing Sections 30, 43, and 57.

By Mr. Harris (with amendment):

H. 769. To regulate further the use of the highways of the State by pedestrians and vehicles; prescribing equipment of certain vehicles and further prescribing rules and regulations governing traffic and the operation of vehicles on the highways; providing the method of enforcing this Act; and prescribing penalties for violations hereof.

Mr. Bridges, Chairman of the Standing Committee on Forestry and Conservation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stone:

H. 441. Relating to the organization, powers, functions and duties of the State Department of Conservation amending Sections 5, 8, 9, 10, 11, 15, 17, 125, 173 and 184 of Title 8, 1940 Code of Alabama.

Mr. Glover, Chairman of the Standing Committee on Fish and Game reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hardwick:

S. 490. To provide for County and State Fishing Licenses for persons using a rod and reel and artificial bait. To provide for the cost of said licenses. To provide for the disposition of the revenue derived from such licenses. To provide how the licenses shall be issued and who shall issue same. To provide a penalty for the violation of this Act. To repeal all laws in conflict herewith. To repeal Sections 38 and 41 of Title 8 of the Code of Alabama of 1940. To provide when this Act shall become effective.

By Mr. Sullivan:

H. 413. To amend Section 91 of Title 8 of the Code of Alabama of 1940, which relates to licensing the capture, killing or taking of fur-bearing animals.

By Mr. Wood (Washington):

H. 420. To prohibit the use of bait to lure, attract or entice any bird or animal protected by law or regulation of this State. To prohibit traps, snares, poisons, chemicals and other methods of

injuring, capturing or killing protected birds and animals. To except fur-bearing animals from the provisions of this Act. To provide a penalty for violating the provisions of this Act. To repeal any law in conflict herewith and to provide when the provisions of this Act shall become effective and for other purposes.

By Mr. Langan:

S. 548. To amend Section 154 of Title 8 of the Code of Alabama 1940 pertaining to licenses for use of seines, trawls and other devices for catching salt water shrimp.

By Mr. Glover:

S. 570. To provide for the confiscation of firearms when used for the taking, capturing or killing of game birds or game animals during the closed season.

Mr. Kimbrell, Vice-Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Thomas and Wallace (with notice and proof):

H. 956. To amend Sections 16 and 17 of an Act approved August 25th., 1927, entitled "An Act to vest the Board of Revenue of Barbour County, Alabama, with further and more general powers as to roads and revenues, the handling of revenues and the appointment of a clerk to further assist the Board in such matters and generally; to give the Board of Revenue further right, power and authority in establishing rules and regulations for building of roads and bridges and maintenance and upkeep of the same; to give said Board of Revenue legislative, judicial and executive powers as to the construction, improvement and maintenance of public roads and bridges, vesting them with authority to promulgate rules and regulations concerning the same, giving said Board the right of eminent domain in regard to the same, vesting the said Board with authority to fix a per capita road tax, requiring the publication of such rules and regulations and fixing a penalty for violation thereof; to fix the salary of the clerk of such Board of Revenue, regulate the meetings of said Board of Revenue; to require all officers of the County collecting revenues to pay the same over to the proper authority and report thereon; require said Board to publish semi-annual statements; to fix the compensation of the members of said board and to repeal all local laws affecting roads and bridges in Barbour County and all laws in conflict herewith."

By Messrs. Ingalls, Busby, Pinkston and Sightler:

H. 955. To amend Section 187 of Title 13, Code of Alabama of 1940.

By Mr. Malone (with notice and proof):

H. 951. To Provide for additional duties of the Circuit Solicitor for the Judicial Circuit embracing Houston County, Alabama, and to provide for additional compensation and expenses therefor; to provide that said Circuit Solicitor make personal investigations of all homicides, and all other capital felonies committed in said county; to provide that it shall be the duty of said Circuit Solicitor to attend all preliminary hearings in capital cases in said county; to provide that as additional compensation and expenses for such additional duties, the said Circuit Solicitor shall be paid the sum of \$300.00 per annum in equal monthly installments from the general fund of Houston County, Alabama, by warrants drawn by the Judge of Probate of said county; to further provide that this act is to become effective on the first day of the month following its passage and becoming law.

By Messrs. Ingalls, Pinkston and Busby (with notice and proof):

H. 941. To amend Section 1 of Act 177 approved June 17, 1943, as amended by Section 1 of Act 89, approved July 7, 1947, which fixes the compensation of the Sheriff of Montgomery County and provides for help and assistants and other expenses in the office of the Sheriff, by increasing the allowance for help and assistants.

By Messrs. Ingalls, Pinkston and Busby (with notice and proof):

H. 940. To provide that when the Solicitor of Montgomery County, Alabama filed with the Governor an application for extradition of a person wanted in Montgomery County to answer a criminal charge and demand has issued, the Board of Revenue of Montgomery County shall advance to the Sheriff a sum sufficient out of the general funds of the county to pay the expense reasonably necessary to effect said extradition: to create a minimum fund out of which such advancement may be made; and to provide for the reimbursement of the Board of Revenue.

By Mr. Denton (with notice and proof):

H. 931. To abolish the fine and forfeiture fund of Blount County, Alabama; to provide for the payment of all money now in the fine and forfeiture fund to the general fund of said county; to provide for the payment of all money hereafter collected by court officials for the fine and forfeiture fund to be paid to the general fund, to provide for payment out of the general fund of all claims due or to become due by the fine and forfeiture fund; to provide for the payment out of the general fund of fees of State witnesses summoned before Grand Jury on presentation; to provide for payment of State witnesses summoned before Circuit Court or County Court of said county out of the general fund on presentation; to provide for payment to the general fund of all witness fees collected by court officials for State witnesses either before Grand Jury, Circuit Court or County Court; to provide for the payment

by the Clerk of the County Court and Clerk of the Circuit Court to the general fund of all money now in said Clerk's hands for the payment of fees of State witnesses; to provide for payment out of the general fund of said county of all witness fees and clerk's and sheriff's fees now outstanding.

By Mr. Meeks et al:

H. 921. To amend Sections 1 and 4 of Act No. 344, of the Session of the Legislature of Alabama of 1947 (General Acts of Alabama of 1947, p. 217-222), approved August 15, 1947, as heretofore amended by Act No. 649, of the Session of the Legislature of Alabama of 1947 (General Acts of Alabama of 1947, p. 501-502), approved October 9, 1947, and Section 6 of said Act 344.

By Mr. Kaul et al:

H. 920. To amend Section 797, Title 37 of the 1940 Code of the State of Alabama.

By Messrs. Callahan and Shelton:

H. 915. To make additional provisions respecting the election of members of the board of directors of any public corporation hereafter organized for hospital purposes under the provisions of Act No. 46 adopted at the 1949 session of the Legislature of Alabama in each county having a population of more than 73,000 inhabitants and not more than 113,000 inhabitants according to the last or any subsequent Federal census.

By Messrs. Shelton and Callahan (with notice and proof):

H. 692. To amend Section 8 of Act No. 424 adopted at the 1947 Regular Session of the Legislature; to provide for the disposition of the revenues from the taxes levied under said act; and to provide for the termination under certain conditions of the levy of taxes made in said act.

By Messrs. Shelton and Callahan (with notice and proof):

H. 691. To provide for the dissolution of Druid City Hospital Board, created by Act No. 540 adopted at the 1947 Regular Session of the Legislature; and to provide for the disposal of funds and property now owned by said board.

By Mr. Boutwell (with notice and proof):

S. 604. To amend Section 3, Section 7, and Section 8 of Senate Bill 365 of the local acts of the Legislature of Alabama, 1947, approved October 2, 1947, entitled "An Act to provide for collection of delinquent court costs and fees in Jefferson County".

By Mr. Boutwell (with notice and proof):

S. 607. To vacate and abandon certain parks in the Survey of Oakwood Estates in the City of Birmingham, County of Jefferson, State of Alabama.

By Mr. Lowe:

S. 606. To propose an amendment to the Constitution of Alabama providing for levying and collecting in the school tax district of the City of Huntsville in Madison County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes, and providing for the issuance of bonds to be retired with the funds arising from such tax; ordering an election upon the proposed amendment to be held on the date of the first special or general election held following the expiration of three months after the final adjournment of the present session of the Legislature.

The above Bill was read a second time at length, as required by the Constitution.

By Mr. Quarles:

S. 603. To fix the compensation of the members of the county governing body, exclusive of the judge of probate, in each county in the State having a population of not less than fifty-two thousand and not more than sixty-three thousand, according to the last or any subsequent federal census; and to provide for the payment of the same.

By Mr. Perry (with notice and proof):

S. 602. Relating to Marengo County: To divide the county into four forest-protection districts, creating the offices of Chief Forest Warden for the county and District Forest Warden for each district, prescribing the duties of such officers, fixing their compensation, and imposing such duties upon the President and members of the Board of Revenue ex officio.

By Mr. Cater:

S. 599. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof.

Mr. Clayton, Chairman of the Standing Committee on Privileges and Elections reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Summerlin:

S. 416. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Mr. Owens, Chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Patton:

S. 598. To amend Title 37, Section 667, of the 1940 Code of Alabama.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Miller, Sellers and White (Covington):

H. 380. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama.

And ordered same sent forthwith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 380. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 830. To authorize the governing body of Baldwin County, Alabama, to impose an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in said county; to provide for the collection and payment of such tax to provide the distribution and use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for enforcement of this act and fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of the said tax.

Also:

H. 832. For the relief of E. F. Stuart by the payment to him of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for damages to the said E. F. Stuart, on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said E. F. Stuart has no recourse at law.

Also:

H. 833. For the relief of Lloyd Martin by the payment to him of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for damages to the said Lloyd Martin, on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Lloyd Martin has no recourse at law.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

RESOLUTION

Mr. Henderson offered the following Senate Joint Resolution, to-wit:

S. J. R. 62. WHEREAS House Bill 52 (the general appropriation Bill) and House Bill 380 (Education Appropriation Bill) are, or will be, in the Senate for consideration, and

WHEREAS it will be necessary for the Senate Finance and Taxation Committee to give minute study and consideration of said Bills prior to their being reported to the full Senate for its consideration, and

WHEREAS there are only eight legislative days remaining in the present Session, now, therefore.

BE IT RESOLVED by the Senate, the House of Representatives concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, August 23, 1949, and

BE IT FURTHER RESOLVED that during said recess the Senate Finance and Taxation Committee shall meet subject to the call of the Chairman thereof for the purposes of the above outline.

Which was read and referred to the Standing Committee on Rules.

RESOLUTION

Messrs. Patton and Hardwick offered the following Senate Joint Resolution, to-wit:

S. J. R. 63. BE IT RESOLVED by the Senate of Alabama the House concurring that the President of the Senate appoint five lawyers from the body of the Senate, and that the Speaker of the House appoint five lawyers from the body of the House to study the laws of this state pertaining to descent and distribution. This Committee after it is appointed shall elect one of its members as chairman and one of its members as vice-chairman. The Committee shall meet upon call of the Chairman some date between August 5, 1949 and August 25, 1949. This Committee shall make such recommended changes as it sees fit in the laws of descent and distribution and shall report its findings to the President of the Senate and the Speaker of the House. The members of such Committee shall draw the compensation fixed by law for members of the Legislature while they are engaged in the performance of their duties.

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

S. 597. To provide additional compensation for the Secretary of the Senate and the Clerk of the House for the performance of the new, extra, and additional duties imposed upon them by Act No. 27, S. B. 30, approved May 31, 1949.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Clayton	Harvey	Lamberth
Allen	Fite	Henderson	Mize
Barrett	Gaither	Hooton	Owens
Boutwell	Glover	Howle	Patterson
Bridges	Golson	Hughes	Quarles
Burnside	Gulledge	Kendall	Swift
Cater	Hardwick	Kimbrell	Wright

—27

Nays:

—0

The Bill:

S. 578. To create and establish a collegiate School of Nursing at the University of Alabama to be known as "University of Alabama School of Nursing" and to provide for its organization, housing and equipment, operation, maintenance, ownership, manage-

ment, and control and to make appropriations therefor from the General Fund or from any surplus fund created from the General Fund by the Legislature by whatever name called, or from funds not otherwise appropriated.

was taken up.

Mr. Wright offered the following substitute for the bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create and establish a collegiate School of Nursing at the University of Alabama to be known as "University of Alabama School of Nursing" and to provide for its organization, housing and equipment, operation, maintenance, ownership, management, and control.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established a collegiate School of Nursing in the University of Alabama to be under the sole management, ownership and control of the Board of Trustees of the University of Alabama for the purpose of providing a program of education and clinical training for the preparation of professional nurses. The school shall be autonomous under the direction of a dean who shall be a nurse and shall be known as "University of Alabama School of Nursing" or by such other name as the said Board of Trustees shall hereafter designate.

Section 2. The University of Alabama is authorized to secure clinical and other educational facilities for the students of the Nursing School in approved hospitals and health agencies and institutions by contract or other arrangements.

Section 3. The expenses incurred in, and the cost of carrying out the provisions of this act shall be paid out of funds appropriated for that purpose by the Legislature.

Section 4. Since it is the purpose of this act to establish and maintain a collegiate School of Nursing to be administered by the Board of Trustees of the University of Alabama, and since the said Board of Trustees in order to carry out that purpose, must necessarily continue to operate the University of Alabama as an institution accredited by the national and regional standardizing agencies, it is hereby expressly provided that appropriations made under this act, being set apart exclusively for the said School of Nursing, and for no other purpose, shall not adversely affect appropriations made to the University in support of its other schools, colleges, divisions and activities.

Section 5. It shall be the duty of the Board of Trustees to make to the Legislature of Alabama at each regular session thereof a full report of their transactions under this act and of the

condition of the Nursing School, embracing an itemized statement of all receipts and disbursements on account of said Nursing School.

Section 6. If any section or part of a section of this act be declared unconstitutional or void, such declaration shall not invalidate any other parts or sections thereof.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

Section 8. All laws or parts of law in conflict with the provisions of this act are hereby repealed.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Mize	
Allen	Fite	Hughes	Owens	
Barrett	Gaither	Kendall	Patterson	
Boutwell	Glover	Kimbrell	Perry	
Bridges	Golson	Lamberth	Quarles	
Burnside	Gulledge	Langan	Swift	
Cater	Hardwick	Lowe	Wright	
Clayton	Harvey			—29

Nays: —0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 2.

Yeas:

Messrs.:	Clayton	Harvey	Mize	
Allen	Coleman	Howle	Owens	
Barrett	Gaither	Hughes	Patterson	
Boutwell	Glover	Kendall	Perry	
Bridges	Golson	Lamberth	Quarles	
Burnside	Gulledge	Langan	Wright	
Cater	Hardwick	Lowe		—26

Nays: Messrs. Hooton and Kimbrell —2

The Bill:

S. 554. To amend Section 4 of Act 515, General Acts of 1945, p. 734.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 22; Nays 3.

Yeas:

Messrs.:	Cater	Hooton	Lowe
Allen	Clayton	Howle	Mize
Barrett	Coleman	Hughes	Patterson
Boutwell	Hardwick	Kendall	Patton
Bridges	Harvey	Kimbrell	Perry
Burnside	Henderson	Lamberth	

—22

Nays: Messrs. Glover, Golson and Gulledge —3

LEAVE OF ABSENCE

On motion of Mr. Fite, leave of absence was granted Mr. Cooper for today.

MOTION TO AMEND SENATE RULE 1

On motion of Mr. Allen, further consideration of the motion of Messrs. Kendall and Allen to amend Senate Rule 1 was postponed until the next Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Mize:

S. J. R. 61. Relative to resignation of Dean William M. Hepburn from the Alabama Law School, and expressing to him thanks and appreciation for his great contributions to the University.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

By Messrs. Meeks, Beatty, Ingalls and Stone:

H. 857. To provide that whenever a sentence is suspended and the defendant released on probate in the Juvenile and Domestic Relations Courts or any courts of the same or similar jurisdiction in any county having a population of more than seventy five thousand (75,000) inhabitants according to the last or any succeeding federal census, under such terms and conditions of such courts as to require the defendant to pay money to the clerk or register of such courts, a writ of garnishment may be issued by the clerk or register of such courts under the rules and regulations prevailing in Circuit Courts in action at law.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 784. Providing for rural telephone service: Authorizing electric cooperatives to furnish rural telephone service to their

members and persons they serve; and enumerating their powers in connection therewith; providing that such powers are exclusive; providing that electric cooperatives shall furnish telephone service subject to the jurisdiction of the Alabama Public Service Commission; imposing additional duties on the Alabama Public Service Commission in connection with effectuating the provisions of the Act; and providing additional compensation for the members of the Alabama Public Service Commission for the performance of the additional duties imposed by the Act.

Was read a third time at length and passed.

Yeas 32; Nay 1.

Yeas:

Messrs.:	Fite	Howle	Owens
Allen	Gaither	Hughes	Patterson
Barrett	Golson	Kendall	Perry
Boutwell	Gulledge	Kimbrell	Quarles
Bridges	Hardwick	Lamberth	Russell
Burnside	Harvey	Langan	Summerlin
Cater	Henderson	Lowe	Swift
Clayton	Hooton	Mize	Wright
Coleman			

—32

Nay: Mr. Glover

—1

The Bill:

S. 442. To create a Division of Publicity and Information; defining its powers and duties; providing for a Director of the Division and his selection, qualifications, compensation, and removal; transferring to the Division the funds, papers, documents, files, materials, equipment, supplies, and other effects of the Division of Records and Reports; abolishing the Division of Records and Reports; and repealing Act No. 253, H. 242, approved June 24, 1943 General Acts of Alabama, 1943, page 223).

as amended by the substitute, which said substitute was adopted on the Twenty-fifth Legislative day, and is set out in the Journal of the Senate for the Twenty-fifth Legislative day, was taken up.

Mr. Hardwick offered the following amendment to the bill, as amended, to-wit:

Amend Senate bill 442 as amended by striking therefrom Section 14 in its entirety and inserting in lieu thereof the following: "Section 14. This Act shall become effective on the third Tuesday in January 1951; but the State Personnel Department shall conduct an examination and set up a register of persons eligible for the position of Director of Publicity and Information within the three months immediately prior to the effective date of this Act."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fite	Henderson	Langan
Allen	Gaither	Hooton	Lowe
Barrett	Glover	Howle	Mize
Boutwell	Golson	Hughes	Owens
Bridges	Gulledge	Kendall	Patterson
Burnside	Hardwick	Kimbrell	Perry
Clayton	Harvey	Lamberth	Summerlin
Coleman			

—28

Nays:

—0

Mr. Gulledge offered the following amendment to the bill, as amended, to-wit:

Amend Senate Bill No. 442 as amended by adding at the end of the title the following words "and making appropriation for same."

Further amend S. B. 442 as amended by amending Section 11 to read as follows:

Section 11. All the salaries and expenses of the Division of Publicity and Information shall be paid out of the annual appropriation made to it for that purpose by the Legislature. The sum of \$10,000 is hereby appropriated for the fiscal years of 1950 and 1951.

Mr. Henderson moved to lay on the table the amendment offered by Mr. Gulledge, and the motion to table was lost.

Yeas 15; Nays 17.

Yeas:

Messrs.:	Coleman	Hughes	Quarles
Allen	Golson	Kendall	Russell
Boutwell	Hardwick	Lowe	Swift
Clayton	Henderson	Patton	Wright

—15

Nays:

Messrs.:	Gaither	Howle	Owens
Barrett	Glover	Kimbrell	Patterson
Bridges	Gulledge	Lamberth	Perry
Burnside	Harvey	Mize	Summerlin
Fite	Hooton		

—17

Mr. Burnside then moved that further consideration of the bill, as amended, and pending amendment, be indefinitely postponed, on motion of Mr. Lowe, the motion to postpone was laid on the table.

Yeas 19; Nays 15.

Yeas:

Messrs.:	Clayton	Henderson	Patton
Allen	Coleman	Hughes	Quarles
Boutwell	Golson	Kendall	Russell
Bridges	Gulledge	Lowe	Swift
Cater	Hardwick	Patterson	Wright

—19

Nays:

Messrs.:	Gaither	Howle	Mize
Barrett	Glover	Kimbrell	Owens
Burnside	Harvey	Lamberth	Perry
Fite	Hooton	Langan	Summerlin

—15

On motion of Mr. Gulledge, the amendment offered by Mr. Gulledge to the bill, as amended, was laid on the table.

The Bill:

S. 33. To amend Act No. 152, H. B. 60, approved June 20, 1945 (General Acts, 1945, pp. 190-193) entitled "An Act To provide for an information, research, and bill-drafting service to members of the Legislature of Alabama, the Governor, state department and agency heads, and other persons by creating a Legislative Reference Service of the State of Alabama and a supervisory Legislative Council, to prescribe their duties and powers, and to make appropriations for their equipment, maintenance, and operation." was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 33

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 152, H. B. 60, approved June 20, 1945 (General Acts, 1945, pp. 190-193) entitled "An Act to provide for an information, research, and bill-drafting service to members of the Legislature of Alabama, the Governor, state department and agency heads, and other persons by creating a Legislative Reference Service of the State of Alabama and a supervisory Legislative Council, to prescribe their duties and powers, and to make appropriations for their equipment, maintenance, and operation."

Be It Enacted by the Legislature of Alabama:

Section 2 of Act No. 152, H. B. 60, approved June 20, 1945 (General Acts of 1945, pp. 190-193) entitled "An Act to provide for an information, research, and bill-drafting service to members of the Legislature of Alabama, the Governor, state department and

agency heads, and other persons by creating a Legislative Reference Service of the State of Alabama and a supervisory Legislative Council, to prescribe their duties maintenance, and operation," is amended to read as follows:

"Section 2. The duties and powers of the Legislative Reference Service shall be the following: (a) It shall reply to inquiries which it may receive concerning the organization and administration of government in the State of Alabama and concerning the constitutional and statutory law of Alabama. Inquiries and other requests for service provided for below shall be dealt with in the order listed here: (1) those from members of the Legislature, and, among these, first those from members of the Legislative Council; (2) those from the Governor; (3) those from State of Alabama departments and agencies; (4) those from municipalities, counties, and other political subdivisions of the State of Alabama; (5) those from other state governments, political subdivisions of other states, and departments and agencies of the United States government; (6) those from citizens and private organizations in the State of Alabama; and (7) those from other persons and agencies.

"(b) It shall make studies and reports on problems of state and local government in Alabama called to its attention by members of the Legislature, the Governor, State of Alabama departments and agencies, and other persons and instrumentalities. It shall have authority to make studies and reports on problems of state and local government in Alabama on its own initiative. It shall conduct a continuous analysis of the scope, effect, and methods of federal, state, and local government operations in Alabama and shall make to the Legislative Council such recommendations for state legislation as it deems appropriate. In order that the purposes of this Act shall be best served, each department and agency of State of Alabama government is charged with the duty of furnishing to the Legislative Reference Service copies of all monthly, quarterly, annual, biennial, quadrennial, and other regular reports which it is required by law to prepare for other agents or officials of the state government and copies of all printed publications which it issues, and with the duty of complying with requests for supplementary reports which may be made by the Legislative Reference Service and approved by the Legislative Council. Each department and agency of State of Alabama government is further required to make its internal records available to the Legislative Reference Service upon request.

"(c) It shall assist members of the Legislature, the Governor, State of Alabama departments and agencies, and other persons and instrumentalities if so requested, to reduce ideas for legislation to bill form.

"(d) It shall, when directed by the Legislature or Legislative Council, prepare a compilation or code of the statutes of Alabama.

"(e) It shall perform such other tasks related to service to the

Legislature of Alabama as may be required of it by the Legislative Council."

On motion of Mr. Mize, said substitute was laid on the table.

Mr. Mize offered then the following amendment to the bill, to-wit:

AMENDMENT TO SENATE BILL 33

Amend Section 2 of S. B. 33 to read as follows:

"Section 2. The duties and powers of the Legislative Reference Service shall be the following: (a) It shall reply to inquiries which it may receive concerning the organization and administration of government in the State of Alabama and concerning the constitutional and statutory law of Alabama. Inquiries and other requests for service provided for below shall be dealt with in the order listed here: (1) those from members of the Legislature, and, among these, first those from members of the Legislative Council; (2) those from the Governor; (3) those from State of Alabama departments and agencies; (4) those from municipalities, counties, and other political subdivisions of the State of Alabama; (5) those from other state governments, political subdivisions of other states, and departments and agencies of the United States government; (6) those from citizens and private organizations in the State of Alabama; and (7) those from other persons and agencies.

"(b) It shall make studies and reports on problems of state and local government in Alabama called to its attention by members of the Legislature, the Governor, State of Alabama departments and agencies, and other persons and instrumentalities. It shall have authority to make studies and reports on problems of state and local government in Alabama on its own initiative. It shall conduct a continuous analysis of the scope, effect, and methods of federal, state, and local government operations in Alabama and shall make to the Legislative Council such recommendations for state legislation as it deems appropriate. In order that the purposes of this Act shall be best served, each department and agency of State of Alabama government is charged with the duty of furnishing to the Legislative Reference Service copies of all monthly, quarterly, annual, biennial, quadrennial, and other regular reports which it is required by law to prepare for other agents or officials of the state government and copies of all printed publications which it issues, and with the duty of complying with requests for supplementary reports which may be made by the Legislative Reference Service and approved by the Legislative Council. Each department and agency of State of Alabama government is further required to make its internal records available to the Legislative Reference Service upon request.

"(c) It shall assist members of the Legislature, the Governor,

State of Alabama departments and agencies, and other persons and instrumentalities if so requested, to reduce ideas for legislation to bill form.

"(d) It shall, when directed by the Legislature (or Legislative Council), prepare a compilation or code of the statutes of Alabama.

"(e) It shall perform such other tasks related to service to the Legislature of Alabama as may be required of it by the Legislative Council."

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Owens	
Barrett	Gaither	Hughes	Patterson	
Boutwell	Glover	Kendall	Patton	
Bridges	Gulledge	Kimbrell	Perry	
Burnside	Hardwick	Lamberth	Quarles	
Cater	Harvey	Langan	Summerlin	
Clayton	Henderson	Lowe	Wright	
Coleman	Hooton	Mize		—30

Nays: —0

Mr. Patton then offered the following amendment to the bill, as amended, to-wit:

Amend Senate Bill 33, as amended, as follows: In paragraph (d) of Section 2 of said bill, strike therefrom the words: "or Legislative Council".

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize	
Allen	Fite	Howle	Patterson	
Barrett	Gaither	Hughes	Patton	
Boutwell	Glover	Kendall	Perry	
Bridges	Golson	Kimbrell	Quarles	
Burnside	Gulledge	Lamberth	Russell	
Cater	Harvey	Langan	Summerlin	
Clayton	Henderson	Lowe	Swift	
				—31

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Golson	Hughes	Owens
Boutwell	Gulledge	Kendall	Patterson
Burnside	Hardwick	Kimbrell	Patton
Cater	Harvey	Lamberth	Perry
Clayton	Henderson	Langan	Quarles
Coleman	Hooton	Lowe	Russell
Gaither	Howle	Mize	Swift

—27

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

By Mr. Russell:

S. 498. To authorize Morgan County to pay the sum of \$500.00 to J. W. Vinzant for an injury sustained by him while employed by Morgan County.

Also:

By Mr. Russell:

S. 500. To amend Section 2 and Section 5 of an Act entitled: "An Act To provide for the distribution and expenditure of the net funds received by Morgan County, Alabama, arising from the placing of the office of Judge of Probate of Morgan County on a salary basis," approved July 6, 1943, as amended by an act of the Legislature of Alabama approved June 23, 1945, being Act No. 164 of the regular session of the Legislature of Alabama of 1945.

Also:

By Mr. Allen:

S. 507. To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of service and compensation of members of the several county boards of equalization.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

By Mr. Glover:

S. 422. To amend Title 2, Section 660, Code of Alabama 1940.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 857. To provide that whenever a sentence is suspended and the defendant released on probation in the Juvenile and Domestic Relations Courts or any Courts of the same or similar jurisdiction in any county having a population of more than Seventy-Five Thousand (75,000) inhabitants according to the last or any succeeding Federal Census, under such terms and conditions of such courts as to require the defendant to pay money to the Clerk or Register of such Courts, a writ of garnishment may be issued by the Clerk or Register of such Courts under the rules and regulations prevailing in Circuit Courts in action at law.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after it's title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 784. Providing for rural telephone service: Authorizing electric cooperatives to furnish rural telephone service to their members and persons they serve; and enumerating their powers in connection therewith; providing that such powers are exclusive; providing that electric cooperatives shall furnish telephone service subject to the jurisdiction of the Alabama Public Service Commission; imposing additional duties on the Alabama Public Service Commission in connection with effectuating the provisions of the Act; and providing additional compensation for the members of the Alabama Public Service Commission for the performance of the additional duties imposed by the Act.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after it's title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Snodgrass:

H. J. R. 114. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two houses adjourn today they adjourn to meet again on Tuesday, August 9, 1949 at 10:00 A. M., and when the two houses adjourn on Tuesday, August 9,

1949 they adjourn to meet again on Thursday, August 11, 1949 at 9:00 A. M., and when the two houses adjourn on Thursday August 11, 1949 they adjourn to meet again on Tuesday, August 16, 1949 at 10:00 A. M.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 114, which is set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORT FROM RULES COMMITTEE

Mr. Swift, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report with substitute, to-wit:

H. J. R. 114. Relative to adjournment of the two Houses until Tuesday, August 9, 1949 at 10:00 A. M. and when they adjourn Tuesday, to meet again Thursday, August 11, 1949 at 9:00 A. M. and when they adjourn Thursday, that they meet again Tuesday, August 16, 1949 at 10:00 A. M.

The Rules Committee reported the following substitute for the resolution, to-wit:

RULES COMMITTEE SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 114

WHEREAS, House Bill 52 (the general appropriation bill) and House Bill 380 (Education Appropriation bill) are, or will be, in the Senate for consideration, and

WHEREAS, it will be necessary for the Senate Finance and Taxation Committee to give minute study and consideration of said bills prior to their being reported to the full Senate for its consideration, and

WHEREAS, there are only eight legislative days remaining in the present Session, now, therefore,

BE IT RESOLVED by the Senate, the House of Representatives concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, August 23, 1949, and

BE IT FURTHER RESOLVED that during said recess the Senate Finance and Taxation Committee shall meet subject to the call of the Chairman thereof for the purposes of the above outlined.

BE IT FURTHER RESOLVED that any members of the Senate Finance and Taxation Committee who may be excused by the Chairman from attendance will not be paid for the days absent.

BE IT FURTHER RESOLVED that any members of the House

or Senate attending the meetings of the committee shall be allowed per diem and expenses for such attendance as may be necessary.

BE IT FURTHER RESOLVED that all payments to members of the committee or members of the House or Senate appearing before the committee shall be on certificate approved by the Committee, and filed with the Comptroller and no other per diem or expenses shall be paid members of the House or Senate during the recess.

BE IT FURTHER RESOLVED that no mileage shall be paid to any member of the Legislature because of such recess.

Mr. Lamberth offered the following amendment to the substitute for the resolution, to-wit:

RESOLVED by the Senate that the Senate resolve itself into Committee of the whole Senate on Wednesday, and Thursday (August 10th and 11th, 1949) for the purpose of considering the General Appropriation Bill and the General Education Appropriation Bill.

And on motion of Mr. Allen, said amendment was laid on the table.

Yeas 22; Nays 12.

Yeas:

Messrs.:	Coleman	Hughes	Perry	
Allen	Gaither	Kendall	Quarles	
Boutwell	Glover	Lowe	Russell	
Bridges	Golson	Owens	Swift	
Cater	Gulledge	Patterson	Wright	
Clayton	Henderson	Patton		—22

Nays:

Messrs.:	Hardwick	Howle	Langan	
Barrett	Harvey	Kimbrell	Mize	
Burnside	Hooton	Lamberth	Summerlin	
Fite				—12

Mr. Russell offered the following substitute for the Rules Committee Substitute for H. J. R. 114, to-wit:

SUBSTITUTE FOR RULES COMMITTEE SUBSTITUTE FOR H. J. R. 114

WHEREAS, House Bill 52 (the general appropriation bill) and House Bill 380 (Education Appropriation bill) are, or will be, in the Senate for consideration, and

WHEREAS, it will be necessary for the Senate Finance and Taxation Committee to give minute study and consideration of said bills prior to their being reported to the full Senate for its consideration, and

WHEREAS, there are only eight legislative days remaining in the present Session, now, therefore,

BE IT RESOLVED by the Senate, the House of Representatives concurring, that when the two Houses adjourn August 9th, 1949 they adjourn to meet again on Tuesday, August 16th, 1949, and

BE IT FURTHER RESOLVED that during said recess the Senate Finance and Taxation Committee shall meet subject to the call of the Chairman thereof for the purposes of the above outlined.

BE IT FURTHER RESOLVED that any members of the Senate Finance and Taxation Committee who may be excused by the Chairman from attendance will not be paid for the days absent.

BE IT FURTHER RESOLVED that any members of the House or Senate attending the meetings of the committee shall be allowed per diem and expenses for such attendance as may be necessary.

BE IT FURTHER RESOLVED that all payments to members of the committee or members of the House or Senate appearing before the committee shall be on certificate approved by the Committee, and filed with the Comptroller and no other per diem or expenses shall be paid members of the House or Senate during the recess.

BE IT FURTHER RESOLVED that no mileage shall be paid to any member of the Legislature because of such recess.

On motion of Mr. Henderson, the substitute for H. J. R. 114 offered by the Rules Committee, and the substitute for the Rules Committee substitute for H. J. R. 114 offered by Mr. Russell, were withdrawn by unanimous consent of the Senate.

• MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Adams (Jefferson), Stone, Sullivan, Beatty, Johnston, Sadler and Kaul:

H. 977. To apply in all counties of this State having a population of not less than 140,000 according to the last or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to provide for the appointment of the members of said Plumbers Examining Board and their term of office; to provide for the payment of compensation to the members of said Board and the employees thereof, and to provide for the payment of expenses incurred by the members of said Board and its employees; to define the powers conferred upon and duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and cer-

tificate fees; to empower the said Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this Act.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 977. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Haynes (Franklin):

H. 52. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 52. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Brassell and Cole:

H. 964. To amend Section 342 of Title 37 of the Code of Alabama (1940) which relates to the powers of municipalities in regard to the acquisition of public improvements, as amended by Act No. 66, General Acts of Alabama, approved June 14, 1949.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 964. To the Committee on Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. McGowin:

H. J. R. No. 115. WHEREAS, the Secretary of Commerce, Honorable Charles Sawyer, is to be in Alabama, on August 11th, and

WHEREAS, the Legislature would consider it an honor to receive such a distinguished visitor, now

THEREFORE BE IT RESOLVED by the House of Representatives, the Senate Concurring, that the Secretary of Commerce be invited to address a joint session of the Legislature at the Capitol in Montgomery on Thursday, August 11th, at 9:30 A. M.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Rules were suspended, and the Resolution, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Sullivan, Stone and Johnston:

H. J. R. 116. WHEREAS, the Board of Commissioners of the State Bar has selected Mobile as the place for the annual meeting of the Alabama State Bar and has designated Friday and Saturday, August 12 and 13, 1949 as the time,

NOW, THEREFORE, the Mobile Delegation, on behalf of the Mobile Bar Association, extends a cordial invitation to the members of the legislature to attend said meeting.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Rules were suspended, and the Resolution, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Pinkston, Meeks, Ingalls, Sightler, Kaul, Adams (Jefferson), Stone, Johnston, Beatty, Sullivan and Dumas:

H. 974. To repeal Subdivision 1 and Subdivision 2 of Article 17 of Title 62 of the Code of Alabama of 1940.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

"Notice is hereby given, without cost to the State, by publication in Jefferson, Mobile and Montgomery Counties, State of Alabama, where the matter or thing to be affected is situated of intention to apply at the 1949 regular session of the Legislature of Alabama for introduction and passage of a bill to repeal sub-division 1 and sub-division 2 of Article 17 of Title 62 of the Code of Alabama of 1940."

Post: June 20, 27; July 4, 11, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA, SS,
COUNTY OF JEFFERSON

J. Ramage personally appeared before me this 20 day of July, 1949, and upon oath states that she is the bookkeeper of The Birmingham Post a newspaper of general circulation in the City of Birmingham, County of Jefferson, State of Alabama, and further declares that the attached advertisement is a true copy which appeared in the said Birmingham Post on the following dates, to wit: June 20, 27, July 4 & 11, 1949.

JULIAETTE RAMAGE,
Bookkeeper, Birmingham Post.

Subscribed and sworn to before me this 20 day of July, 1949.

HAROLD J. WILSON,
Notary Public, Jefferson County, Alabama.

My commission expires July 30, 1951. Bonded by American Surety Co. of N. Y.

LEGAL NOTICE

Notice is hereby given, without cost to the State, by publication in Jefferson, Mobile and Montgomery Counties, State of Alabama, where the matter or thing to be affected is situated, of intention to apply at the 1949 regular session of the Legislature of Alabama for introduction and passage of a bill to repeal sub-division 1 and sub-division 2 of Article 17 of Title 62 of the Code of Alabama of 1940.
Reg. June 21, 28, July 5, 12

Alvin A. Johnson being sworn, says that he is ass't. auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register.

June 21, 28, July 5, 12, 1949.

ALVIN A. JOHNSON.

Sworn to and subscribed before me this 12th day of July, 1949.

GREGG L. KENNY,
Notary Public.

Notice is hereby given, without cost to the State, by publication in Jefferson, Mobile and Montgomery Counties, State of Alabama, where the matter or thing to be affected is situated, of intention to apply at the 1949 regular session of the Legislature of Alabama for introduction and passage of a bill to repeal sub-division 1 and sub-division 2 of Article 17 of Title 62 of the Code of Alabama of 1940.
June 21-28, July 5-12.

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, T. A. Hardy, a Notary Public in and for said State and County, personally appeared P. W. Walsh, who being duly sworn according to law, deposes and says that he is Secretary for The Advertiser Company, publishers of The Montgomery Advertiser, and that the attached advertisement appeared in said publication on the following dates June 21, 28, July 5, 12, 1949.

P. W. WALSH,
Secretary.

Sworn to and subscribed before me this 25 day of July, 1949.

T. A. HARDY,
Notary Public, Montgomery County, Ala.

Also:

By Messrs. Johnston, Stone and Sullivan:

H. 871. To amend Section 169 of Title 10 of the Code of Alabama of 1940.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 974. To the Committee on Local Legislation.

H. B. 871. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Sullivan, Stone and Johnston:

H. 975. To provide in all counties in this State having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent Federal census, for an action of ejectment to recover possession of real property sold under an agreement of sale whereby title to said real property is retained until full payment of the purchase price is made when default has been made in the payments provided for by such agreement of sale and to provide for the redemption of such property.

Also:

By Messrs. Kaul, Meeks, Gibson, and Dumas:

H. 967. To amend Section 84, Title 52, of the Alabama Code of 1940, insofar as said Section relates to counties having a population of 400,000 or more, according to the last or any succeeding Federal census.

Also:

By Messrs. Kaul, Dumas, Gibson and Meeks:

H. 968. To amend an Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in

addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act.

Also:

By Messrs. Dumas, Meeks, Beatty, Adams (Jefferson) and Gibson:

H. 966. To abolish the Board of Commissioners of the City of Bessemer, Alabama; to provide in lieu thereof a Board of Commissioners for said City; to provide for the number and designation of the members of the said Board of Commissioners, their mode, manner and time of election and their terms of office; to provide for the authority, powers and rights of the members thereof; to provide for the separate departments of government of said Board and to designate the heads of such departments; to provide for the meetings of said Board and the presiding officer thereof; to provide for the giving of security bond by the members thereof; to provide for the qualifications of the officers and employees of said City, and to prohibit them from being interested in certain contracts of work; to provide for the publication of the financial conditions and of audits of said City; to provide for the method of filling vacancies in said Board; to provide for the salary of the members of said Board; to provide for the public meetings of said Board and procedure therein; to provide for the regulation of municipal elections in said City; to provide for the method and manner of changing the form of government of said City; to provide for the recall of officers of said City; to provide for regulations as to the manner and presentation of petitions; to provide for Recorder, his qualifications, duties and compensation; to provide for the effect of the constitutionality of any portion of this Act; and to provide when this Act shall take effect.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that application will be made, without cost to the State, to the present session of the Legislature of Alabama for the immediate introduction and passage of a bill, the substance of which is in words and figures as follows:

AN ACT

To abolish the Board of Commissioners of the City of Bessemer, Alabama; to provide in lieu thereof a Board of Commissioners for said City; to provide for the number and designation of the members of the said Board of Commissioners, their mode, manner and time of election and their terms of office; to provide for the authority, powers and rights of the members thereof; to provide for the separate departments of government of said Board and to designate the heads of such departments; to provide for the meetings of said Board and the presiding officer thereof; to provide for the giving of security bond by the members thereof; to provide for the qualifications of the officers and em-

ployees of said City, and to prohibit them from being interested in certain contracts of work; to provide for the publication of the financial conditions and of audits of said City; to provide for the method of filling vacancies in said Board; to provide for the salary of the members of said Board; to provide for the public meetings of said Board and procedure therein; to provide for the regulation of municipal elections in said City; to provide for the method and manner of changing the form of government of said City; to provide for the recall of officers of said City; to provide for regulations as to the manner and presentation of petitions; to provide for Recorder, his qualifications, duties and compensation; to provide for the effect of the constitutionality of any portion of this Act; and to provide when this Act shall take effect.

Be It Enacted by the Legislature of Alabama:

Section I. That the Board of Commissioners of the City of Bessemer, Alabama, a Municipal Corporation, is hereby abolished.

Section II. That from and after the effective date of this Act the governing powers of the said City of Bessemer, Alabama, shall be vested in a Board of three (3) members, one of whom shall be designated as President thereof, and the remaining members shall be designated, respectively, Associate Commissioner Number One, or Commissioner of Public Improvements, and Associate Commissioner Number Two, or Commissioner of Public Safety, whose duties, tenure of office and mode of election shall be as hereinafter provided, and the name of said governing body shall be "The Board of Commissioners of Bessemer."

Section III. That from and after the effective date of this Act, the present members of the Board of Commissioners of Bessemer, Alabama, shall constitute the members of the Board of Commissioners herein created, and the present President of the present governing Board of Bessemer, Alabama shall be the President thereof; and all of the present members of the said present Board of Commissioners of said City shall hold office from the effective date of this Act and until the election and qualifications of their successors as hereinafter provided for.

Section IV. That an election shall be held on the third Monday in September, 1950 for the purpose of electing all three members of said Board of Commissioners, all of whose tenure of office shall be for a term of four (4) years and until their successors are elected and qualified as herein provided. That the terms of office of such persons so elected shall commence on the first Monday in October, 1950, upon their election and qualification, and shall continue until the first Monday in October each fourth year thereafter and until their successors are elected and qualified.

Section V. In the said election to be held on the third Monday in September, 1950, and in each election to be held thereafter, each office of said Board of Commissioners to be filled shall be designated, the Associate Commissioners being designated as Associate Number One, or Commissioner of Public Improvements, and Number Two, or Commissioner of Public Safety, respectively, and this shall be shown on the ballot prepared for such election. In filing statement of candidacy each candidate shall designate for which place he desires election. At every election each voter shall vote for only one candidate for each office, and the candidate receiving the highest number of votes for such office shall be elected, provided he receives a majority of the votes cast for such office. In case no one of such candidates shall receive a majority of all such votes cast for the office for which he is a candidate, another election shall be held on the same day of the following week for said office, at which the two candidates receiving the highest number of votes at the initial election shall be voted for. The candidate receiving the highest number of votes at such final election shall be declared elected. Each candidate declared elected in any election provided for herein shall quali-

fy and take oath of office on the first Monday in October, next, following said election.

Section VI. Any person desiring to become a candidate at any election which may be held according to the terms of this Act for any office prescribed herein, shall file a statement of candidacy in the form and manner as provided by Section 63, Title 37 of the 1940 Code of Alabama, except that said statement of candidacy shall also conform to the provisions of Section five (5) of this Act, and the officers provided for by this Act shall be elected by the duly qualified voters. Any such election held hereunder shall be held in accordance to and in the manner and mode provided by the now existing laws relative to the election of municipal officers in Cities having a Commission form of government, except where in conflict with the provisions of this Act.

Section VII. The members of such Commission Board shall be municipal officers only, and shall have, possess and exercise the municipal powers, legislative, executive and judicial now, or hereafter, conferred upon municipalities and governing bodies thereof. All laws now governing the said City of Bessemer and not inconsistent with the provisions of this Act, shall apply to and govern said City as it shall become organized as provided by this Act. All laws, ordinances and resolutions lawfully passed and in force in said City, not inconsistent with the provisions of this Act, shall remain in force until altered or repealed according to the provisions of this Act. All employees of said City and all officials except those whose term of office are abolished by this Act, shall continue in office until otherwise provided by said Board of Commissioners, and shall perform the duties, now, or hereafter, provided for by law.

Section VIII. The powers and duties in such City shall be distributed into and among three (3) departments, as follows:

Department of General Administration, finances, and accounts; which department shall be especially charged with the administration of all legal affairs of the City, the purchase of supplies, the collection of taxes, licenses and other sources of income, the expenditures of the City, the management of its sinking fund and public utilities either owned and operated by the City or operated by private corporations under franchises of contracts with the City, and supervision and control of the City Library. The President of the said Board of Commissioners shall be the head of the department of General Administration and shall be charged with, and responsible for, the general supervision and direction of the affairs of the City.

Department of Public Improvements, which department shall have special supervision over all public improvements in such City including the improvement and maintenance of Streets and sidewalks, the building of viaducts, the construction, maintenance and operation of sewers, and the erection and maintenance of all public buildings, parks, playgrounds, cemeteries, and the collection and disposal of garbage and refuse. The Associate Commissioner Number One shall be the head of the Department of Public Improvements and shall be charged with, and responsible for, the operation of such department subject to the authority of the Board of Commissioners.

Department of Public Safety which shall have supervision over the Fire and Police Departments and of all things connected therewith and over the public health and sanitation and, except as hereinabove provided, all things pertaining thereto. The Associate Commissioner Number Two shall be the head of the Department of Public Safety and shall be charged with, and responsible for, the general administration of such department.

Each Commissioner acting as the head of the department to which he is elected shall be limited in his authority to the execution and enforcement of the laws and ordinances of said City pertaining to his department and to the administration thereof, except the legislative powers

which said Commissioner shall have and may exercise at regular or public meetings of the said Board of Commissioners sitting as a legislative body. In addition to the duties hereinabove provided for, the President of said Board of Commissioners shall perform all duties required by law, not inconsistent with this Act, of Mayor in such Cities having the Aldermanic form of government; and it is further provided that the administration of each department shall be under the supervision and control of the Board of Commissioners as a whole, and such Board shall be responsible therefor.

Section IX. Said Board of Commissioners shall hold regular public meetings on Tuesday of each and every week at some regular hour to be fixed by said Board from time to time, and publicly announced by it, and it may hold such adjourned, called and other meetings as may be necessary or convenient. The President of the Board, when present, shall preside at all meetings of said Board of Commissioners, but shall have no veto power. A majority of the total number of members of said Board shall constitute a quorum for the transaction of any and all business to be done by said Board of Commissioners, and for the exercise of any and every power conferred upon it; and the affirmative vote of a majority of the total number of members of said Board shall be necessary and sufficient for the passage of any resolution by law or ordinance, for the transaction of any business of any sort by said Board of the exercise of any of the powers conferred upon it by the terms of this Act, or that may hereafter be conferred upon it by law. This provision shall not be construed, however, so as to prevent the said Board from delegating or assigning to one or more of its members, or to such boards, commissions, officers or employees as may be created or selected by it, the performance of such executive or judicial duties and powers that are by this Act vested in said Commission Board, as may be necessary or convenient, provided the same is done by resolution, by-law or ordinance duly enacted according to the terms of this Act where not otherwise provided. All meetings of the Board shall be open to the public. No resolutions, by-laws or ordinances granting any franchise, appropriating any money for any purpose (except ordinary pay roll, monthly expense and supply items), providing for any public improvements, enacting any regulations concerning the public comfort, public safety or public health, or of any other general or permanent nature, which has not been published in a newspaper published in the City of Bessemer, Alabama, for not less than seven (7) days immediately prior to final enactment, shall be enacted, and except at a regular or adjourned public meeting of said Board, provided that a meeting of the Board of Commissioners may be called at any time to consider and act upon an emergency that involves the public safety or public health when not otherwise herein provided. Every motion, resolution or ordinance introduced at any and every such meeting shall be reduced to writing and read before any vote thereon shall be taken, and the yeas and nays thereon shall be recorded, a record of the proceedings of every such meeting shall be kept in a well bound book and every resolution and ordinance passed by the Board of Commissioners must be recorded in such book and a record of the proceedings of the meetings be signed by at least two (2) of the members of the Board of Commissioners before the action taken shall be effective; such record shall be kept available for inspection by all citizens of said City at all reasonable times.

Section X. No ordinance granting any franchise, lease or right to use the public highways, or public property of said City shall take effect and be in force until thirty days after the final enactment of same by the Board of Commissioners and publication of said ordinance as provided by law, which publication shall be made at the expense of the persons, firm or corporation applying for said grant.

Section XI. Each Commissioner shall, before entering upon the

duties of his office, give a good and sufficient bond, which shall be executed by a bonding company authorized to do business in Alabama, payable to and for the use and benefit of the said City, in the sum of Five Thousand and no-100 (\$5,000.00) Dollars, conditioned upon the faithful discharge of his duties, and that he will save such City harmless from all loss caused by his neglect of duty, misfeasance in office, or for the willful expenditure of any monies of said City in violation of the law, and said bond, before being accepted, shall be approved by the Judge of Probate in and for Jefferson County, Alabama. The premiums on such bond shall be paid out of the City Treasury. No member of the Commission, nor any person holding an office of profit under them, shall hold any office of profit or trust under the laws of any State of the United States, or hold any County office; nor shall any Commissioner ever be elected or appointed to any office created by, or the compensation of which was increased or fixed by the Commission, while he was a member thereof within two years therefrom.

Section XII. No officer or employee elected or appointed by said City shall be interested, directly or indirectly, in any contract for work or material, for the profits thereof, or service to be furnished or performed for the City; and no such Commissioner or regular employee holding employment under Civil Service regulations shall be interested in or an employee of any corporation operating any public service utility or common carrier within the City, provided this shall not apply to any employment or interest existing at the time of selection or election of such employee or Commissioner. No person who is related by consanguinity or affinity nearer than the fifth degree to any Commissioner shall be allowed employment by election or appointment, or receive compensation for services rendered such City. Any person violating any provision of this section shall, upon conviction, be guilty of a misdemeanor, and any elective officer violating this section shall be guilty of malfeasance in office, and shall be punished as provided by the laws of the State of Alabama. Any elective officer shall be subject to all the pains and penalties and enjoy all the privileges and immunities as provided by the Constitution and general laws of the State of Alabama applicable to such officials. Members of said Board of Commissioners shall be qualified electors residing within the corporate limits of said City.

Section XIII. The Board of Commissioners shall at the end of the fiscal year as of the 30th day of September publish a detailed statement of all receipts, expenses of the City and a true summary of its proceedings during the preceeding year, said publication shall be made not later than the 15th day following the close of the fiscal year in a regularly published newspaper printed and published in the City of Bessemer, and at the end of each fiscal year the books and accounts of the said City shall be audited by a reputable, disinterested and certified Accountant or by the Examiner of Accounts of the State of Alabama, and such report must be certified to by the City Clerk and attested by the members of the Board of Commissioners, and a true summary thereof published in the same manner as herein provided.

Section XIV. Whenever any vacancy shall occur in the office of the President of the Board of Commissioners, or any Associate Commissioner of said Board organized under the terms of this Act, then the remaining members of such Board shall order an election to be held not less than thirty (30) nor more than sixty (60) days after the date when such vacancies occur, at which election a successor to said office for his unexpired term shall be voted for. The notice of such election shall be given by publication once a week for three (3) consecutive weeks in some newspaper published in said City. Any person desiring to become a candidate for such office at such election shall qualify as provided for herein for the regular elections, and said special election shall be con-

ducted in all manner as provided for the conducting of the regular elections provided herein. The person who shall be elected to such office at such election shall qualify for office as soon as practicable and shall hold office for the unexpired term of his predecessor and until his successor is elected and qualified.

Section XV. The President of the Board of Commissioners shall receive an annual salary of a sum not to exceed Two Thousand, Two Hundred Fifty (\$2250.00) Dollars payable in semi-monthly installments on the 15th and the last day of each month, and each Associate Commissioner shall receive an annual salary of a sum not to exceed One Thousand, Eight Hundred (\$1800.00) Dollars payable in semi-monthly installments on the 15th day and the last day of each month, said installments to be paid at the same rate for any portion of the month during which the President or Commission shall hold office at the rate thus provided, and such fund shall be paid out of the General Fund of said City. The payment of all funds out of the Treasury shall be by warrant signed by the City Clerk and counter-signed by the President of such Board of Commissioners, or such other official or employee selected by the President of said Board, subject to approval of the Board of Commissioners; and, except as herein provided, no funds may be paid out for any purpose except by resolution or ordinance duly passed making such appropriation.

Section XVI. All regularly, adjourned and called meetings of the Board of Commissioners shall be open to the public and shall be held in a regularly designated place in the City Hall, and every citizen of Bessemer shall have a right to be heard on any subject relating to the business or conduct of the City affairs. This section shall not apply to discipline of employees.

Section XVII. The form of government of said City may be changed or altered by the people of said City in the same manner and method and according to the same rules as are provided for the initiation of a recall of any one or more Commissioners of said City. In the event the form of government of said City is changed by an election, as provided by law, then the Board of Commissioners of said City shall forthwith call an election to be held in not less than 30 days and not more than 60 days from the date of the election to change the form of government. At this election called by the said Board of Commissioners the officials of the City shall be elected for the new form of government. Provided that no election shall be held at the same time or within six months prior to the day on which members of the said Board of Commissioners are elected.

Section XVIII. The qualified voters of the City may at any time file with the Probate Judge of Jefferson County a petition or petitions asking for the resignation of the President of the Board of Commissioners or any member of said Board of Commissioners. Such petition shall contain a general statement of the grounds upon which the removal of said officer is requested, and each signer shall add after his signature and opposite thereto, his residence address. In case such petition is signed by a number of qualified voters as will equal three votes for every one hundred inhabitants or fraction thereof according to the last or any subsequent federal census, residing in said City and qualified to vote for a successor to the officer sought to be recalled, and bear a certificate of the Probate Judge to that effect, a copy thereof shall be delivered to the Board of Commissioners, and if the said officer or officers shall not on or before the next regular meeting of said Board of Commissioners thereafter resign from office, then the said Board of Commissioners shall immediately thereafter order an election to be held by said City not less than thirty (30) days nor more than sixty (60) days from the date of said meeting, at which election the question of whether or not said officer shall be recalled. Notice of such election shall be given by publication once a week for three successive weeks in some newspaper published in said

City. If the majority of the voters at said election vote for the termination of the term of office of said officers or officer and the number so voting in favor of such termination shall be equal to or greater than one half of the number of electors voting in the next preceding general municipal election in said City, said officer's term of office shall terminate and such officers shall stand recalled, otherwise he shall continue in office as if no election had been held. Whenever the term of any officer is terminated as above provided, said Board of Commissioners shall by resolution forthwith call a special election of a successor to such officer, such election to be held not more than twenty-one (21) and not less than fourteen (14) days from the declaration of the result of the recall election. Notice of such election shall be given by the publication in some newspaper published in said City. Candidates in such special election shall qualify and be voted upon and successful candidate or candidates be determined in the same manner as herein provided relative to election of Commissioners in quadrennial election, except that statements of candidacy must be filed at least seven (7) days before the day set for such election. In the event terms of one or more Commissioners are terminated at the same election, the Governor shall appoint temporary successors to hold office until such successors are elected and qualified as herein provided, but if the term of only one Commissioner is terminated, no temporary successor shall be appointed for such interim.

Section XIX. All petitions provided by this Act may be by a number of instruments as well as by one instrument. Signers of any petition provided by this Act shall not only sign his name in full and his address as herein provided but he shall also set opposite his name and address the precinct and district in which his name appears as a qualified voter; and no petition provided for in this Act shall be sufficient unless it contains, opposite the name and address of the voter, the precinct and district in which his name appears as a qualified voter. No person but a qualified voter shall sign any petition provided by this Act. And no person shall sign the name of another to any such petition whether with or without authority; and no person shall sign more than one separate instrument as a petition for any single purpose herein provided for. Any violation of the foregoing provisions of this Act shall constitute a misdemeanor punishable by fine not to exceed Three Hundred (\$300.00) Dollars. No qualified voter who has signed a petition provided for herein can withdraw his signature. All petitions provided for herein must bear the certificate of the Judge of Probate of the county in which said City is located, that it has the number of signatures required by law of qualified voters, and it shall be the duty of said Judge of Probate to hear and determine all questions as to the genuineness of signatures and the qualifications of voters signing such petitions before giving such certificate; and such certificate of the Judge of Probate shall be final and conclusive. Should the said Judge of Probate decide that any such petition was not signed by the required number of qualified voters, it shall be his duty to return said petition with a written statement of the details of its inefficiency to the persons presenting such petition, and such persons shall have ten days thereafter to have said petition signed as required by law, at the end of which time they shall again present such petition to the said Probate Judge for re-examination. For the services in passing on such petition the Probate Judge shall receive from the persons presenting such petition for his examination the cost of clerical work incident thereto and twenty percent of such amount in addition. Security for the payment of such cost must be given at the time of presentation of such petition.

Section XX. The Board of Commissioners shall elect some person who is learned in the law to act as Recorder for said City, his duties, qualifications, and compensation shall be fixed and determined by the said Board of Commissioners, and he shall exercise all powers and au-

thorities which now, or may hereafter be, given to Recorders under the general laws of the State of Alabama.

Section XXI. All publications provided for in this Act shall be made in a newspaper published in the City of Bessemer, provided that in the event there is no newspaper published in said City at the time publication is required, then such publication shall be made in a regularly published daily newspaper in Jefferson County, Alabama.

Section XXII. This Act shall be deemed to be severable, and if any part thereof held unconstitutional, such invalidity shall not effect any other portion thereof.

Section XXIII. All laws and parts of laws in conflict herewith are hereby repealed.

Section XXIV. This Act shall take effect on the first day of the month, next succeeding the passage and approval of this Act.

Approved this _____ day of _____, 1949.

The Bessemer Advertiser,
June 17-24, July 1-8, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for State and County aforesaid, personally appeared:

B. M. McElroy, who being duly sworn, says on oath that he is: Editor-Publisher of the Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for 4 weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: June 17-24 & July 1-8, 1949 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 23 day of July, 1949.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Kaul, Gibson, Meeks and Dumas:

H. 969. To propose an amendment to the Constitution of Alabama with respect to the filling of vacancies in the office of judge of the circuit court holding at Birmingham.

Also:

By Messrs. Dumas, Kaul, Gibson and Meeks:

H. 970. To amend Sections 5 and 6 of Act No. 414 of the Legislature of Alabama of 1947 (General Acts of 1947, p. 304), which fixes, levies, and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more, according to the last or any subsequent Federal census.

Also:

By Mr. Larkins:

H. 973. To provide for meetings of the Court of County Commissioners of Coffee County at Elba and Enterprise.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To provide for meetings of the Court of County Commissioners of Coffee County at Elba and Enterprise.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners of Coffee County shall hold its regular monthly meetings in the months of January, February, March, July, August, and September at Elba, Alabama; and the court shall hold its regular meetings in the months of April, May, June, October, November, and December at Enterprise, Alabama. Special meetings of the court of county commissioners may be held either at Elba or Enterprise after notice of such special meeting has been given as provided in Section 10 of Title 12 of the Code of Alabama (1940).

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

H. B. LARKINS,
Rep. from Coffee County.

1J3t

STATE OF ALABAMA
COUNTY OF COFFEE

Clark Edwards, of said state and county, being first duly sworn, on his oath says:

That he is the owner of The Enterprise Ledger, a weekly newspaper of general circulation, printed and published in the City of Enterprise in said county and state, and has been such during the time hereinafter mentioned, and that the advertisement headed A Bill to be Entitled An Act a printed copy of which is hereto attached, was printed and published in every copy of each issue of said newspaper for a period of 4 consecutive weeks, to-wit:

First Publication July 1, 1949.

Second Publication July 8, 1949.

Third Publication July 15, 1949.

Fourth Publication July 22, 1949.

CLARK EDWARDS.

Sworn to and subscribed before me this the 22nd day of July, 1949.

BONNIE O. EDWARDS,
Notary Public.

My commission expires: 12-24-52.

By Messrs. Stone, Sullivan and Johnston:

H. 976. To amend Section 176 of Title 41 of the 1940 Code of Alabama. (Relating to filling of vacancies in State and County offices).

Also:

By Messrs. Kaul, Dumas, Meeks and Gibson:

H. 971. To further amend an Act of the Legislature, approved July 8, 1943, General Acts of Alabama of 1943, Page 390, entitled "An Act to apply in but only in, counties which have a population of 400,000 or more, according to the last or any subsequent Federal Census, and which counties are Wet Counties under Section 68 of Title 29 of the 1940 Code of Alabama; and to require the payment to such counties of a license tax,

in addition to all other taxes and licenses now required by law, of one cent on each twelve fluid ounces or fractional part thereof of malt or brewed beverages sold, distributed, delivered, stored, or taken out of storage within such counties; and to provide for the ascertainment collection, payment and distribution of such license tax and for the enforcement of this Act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this Act; to repeal any existing ordinances or statutes in conflict with the provisions of this Act", as heretofore amended.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 975, 967, 968, 966, 969, 970, 973, 976 and 971. To the Committee on Local Legislation.

At 12:20 P. M. Mr. Patterson moved that the Senate do now recess until 2:00 P. M., which motion was lost.

Yeas 13; Nays 17.

Yeas:

Messrs.:	Clayton	Mize	Quarles	
Boutwell	Gulledge	Owens	Russell	
Bridges	Howle	Patterson	Swift	
Burnside	Kendall			—13

Nays:

Messrs.:	Fite	Hughes	Lowe	
Allen	Glover	Kimbrell	Patton	
Barrett	Harvey	Lamberth	Perry	
Cater	Henderson	Langen	Wright	
Coleman	Hooton			—17

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in session, has carefully examined the Journal of the Senate for the Twenty-seventh legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

V. S. SUMMERLIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. Summerlin, the foregoing report was concurred in and the Journal of the Senate for the Twenty-seventh Legislative day approved by the Senate.

ADJOURNMENT

At 12:35 P. M., on motion of Mr. Lowe, and pending further consideration of the bill, S. B. 442, as amended by the substitute, the Senate adjourned until Tuesday, August 9, 1949, at 10 o'clock A. M.

Yeas 16; Nays 15.

Yeas:

Messrs.:	Gaither	Howle	Patton	
Barrett	Glover	Hughes	Perry	
Clayton	Hardwick	Langan	Russell	
Coleman	Harvey	Lowe	Swift	
Fite				—16

Nays:

Messrs.:	Burnside	Hooton	Mize	
Allen	Cater	Kendall	Patterson	
Boutwell	Gulledge	Kimbrell	Quarles	
Bridges	Henderson	Lamberth	Wright	
				—15

TWENTY-NINTH LEGISLATIVE DAY

TUESDAY, AUGUST 9, 1949

The Senate met pursuant to adjournment, Lieutenant Governor Inzer presiding.

PRAYER

The session was opened with prayer by Rev. R. C. Kinnaird, Pastor, Calvary Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright
Coleman	Hooton	Owens	
			—34

JOURNAL

On motion of Mr. Harvey the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolution with the original Senate Joint Resolution and finds same correctly enrolled, to-wit:

S. J. R. 61. Relative to; The Legislature of Alabama expressing deep regrets for the loss of Dean William M. Hepburn from the University of Alabama Law School.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after it's title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 422. To amend Title 2, Section 660, Code of Alabama 1940.

Also:

S. 498. To authorize Morgan County to pay the sum of \$500.00 to J. W. Vinzant for an injury sustained by him while employed by Morgan County.

Also:

S. 500. To amend Section 2 and Section 5 of an Act entitled: "An Act To provide for the distribution and expenditure of the net funds received by Morgan County, Alabama, arising from the placing of the office of Judge of Probate of Morgan County on a salary basis.," approved July 6, 1943, as amended by an act of the Legislature of Alabama approved June 23, 1945, being Act No. 164 of the regular session of the Legislature of Alabama of 1945.

Also:

S. 507. To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of service and compensation of members of the several county boards of equalization.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Patton:

S. B. 612. Requiring the registration of and imposing a privilege license tax upon motor vehicle manufacturers, factory branches, factory representatives, and dealers; providing for the issuance, denial, suspension, and revocation of such licenses; and prescribing penalties for violating the provisions of this Act.

Committee on Finance and Taxation.

By Mr. Mize (with notice and proof):

S. B. 613. Relating to the Board of Education of Tuscaloosa County; authorizing the board to expend public school funds to provide office supplies and equipment for use in the office of the Superintendent of Education.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Notice is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the Board of Education of Tuscaloosa County; authorizing the board to expend public school funds to provide office supplies and equipment for use in the office of the Superintendent of Education.

Be It Enacted by the Legislature of Alabama:

Section 1. The Tuscaloosa County Board of Education is hereby authorized to expend public school funds for supplies and equipment to be used in the office of the County Superintendent of Education over and beyond the supplies and equipment normally furnished by the Tuscaloosa County Board of Revenue.

Section 2. This authorization for the Tuscaloosa County Board of Education to expend public school funds for supplies and equipment for the superintendent's office shall in no way relieve the Tuscaloosa County Board of Revenue of its responsibility to continue furnishing suitable office quarters, utilities and the normal forms and supplies now furnished by the Tuscaloosa County Board of Revenue.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 13, 20, 27, Aug. 3-4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on July 13, July 20, July 27, and August 3, all in the year 1949.

BUFORD BOONE.

Sworn to and subscribed before me August 3, 1949.

LILLA COLLINS,

Notary Public in and for Tuscaloosa County, Alabama.

(SEAL)

By Mr. Henderson (with notice and proof):

S. B. 614. To provide for and create the County Board of Administration for Wilcox County; to prescribe and limit the duties, powers, jurisdiction, authority, and privileges of such County Board of Administration and of the members thereof, and the manner of the exercise of such duties, powers, jurisdiction, authority and privileges; to provide for the members of the County Board of Administration, their qualifications, the time and manner of their election, their terms of office and their compensation; to abolish the Court of County Commissioners of Wilcox County; to confer on the County Board of Administration and the members thereof all the duties, powers, jurisdiction, authority, and privileges now exercised by the Court of County Commissioners; to define the jurisdiction, powers, and duties of the board with respect to county employees, roads and bridges, contracts, the acquisition and sale of property, and fiscal matters and debts; and conditioning the operation of the Act upon a favorable vote of the electorate of Wilcox County at a referendum.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for and create the County Board of Administration for Wilcox County; to prescribe and limit the duties, powers, jurisdiction, authority, and privileges of such County Board of Administration and of the members thereof, and the manner of the exercise of such duties, powers, jurisdiction, authority and privileges; to provide for the members of the County Board of Administration, their qualifications, the time and manner of their election, their terms of office and their compensation; and to abolish the Court of County Commissioners of Wilcox County; and to confer on the County Board of Administration and the members thereof all the duties, powers, jurisdiction, authority, and privileges now exercised by the Court of County Commissioners; and to define the jurisdiction, powers, and duties of the board with respect to county employees, roads and bridges, contracts, the acquisition and sale of property, and fiscal matters and debts; and conditioning the operation of the Act upon a favorable vote of the electorate of Wilcox County at a referendum.

Be It Enacted by the Legislature of Alabama:

Section 1. County governing body. The governing body of Wilcox County shall be known as the County Board of Administration. Except as provided in Section 2, the board shall consist of three members: the probate judge and two associate commissioners.

Section 2. Election of members and terms of office. The term of the probate judge as a member of the board shall be coextensive with his term as probate judge. The associate commissioners shall be qualified electors of the county, and shall be elected by the voters of the entire county; but one associate commissioner shall be a resident of that part of the county lying on the east side of the Alabama River and the other associate commissioner shall be a resident of that part of the county lying west of said river. The term of an associate commissioner shall begin on the first Monday after the second Tuesday in January following his election, and, except as herein provided, associate commissioners shall hold office for six years and until their successors are elected and qualified. The associate commissioner first elected for the eastern district shall be elected at the general election of 1952 and shall hold office for four years; his successor shall be elected at the general election of 1956 and every six years thereafter. The associate commissioner first elected for the western district shall be elected at the general election of 1952 and shall hold office for two years; his successor shall be elected at the general election in 1954 and every six years thereafter. The members of the Court of County Commissioners of Wilcox County who were elected in 1946 and the commissioners elected in 1948 shall continue in office and serve as members of the County Board of Administration until the first Monday after the second Tuesday in January, 1953. The Court of County Commissioners of Wilcox County is hereby abolished.

Section 3. Duties of board members. The members of the board shall have and exercise collectively the jurisdiction, power, and duties

now or hereafter granted and conferred upon members of courts of county commissioners by the laws of the State. Members of the board shall be subject individually and collectively to all the disabilities limitations, restrictions, and penalties applicable to members of courts of county commissioners and are subject to any local or general law not in conflict with this Act. Each associate commissioner shall devote as much of his time to the duties of the office as it shall require; he shall not discharge duties either as principal, deputy or employee of any other county office or of any State, Municipal or Federal office. The acceptance of any such office or deputyship or employment shall vacate the office of associate commissioner.

Section 4. Oath and bonds. Before entering on the duties of the office each associate commissioner shall subscribe to the oath prescribed for members of the Legislature of Alabama and each shall enter into bond with lawful sureties to be approved by the judge of the circuit court and deposited with the judge of probate of such county, payable to the county, in the sum of three thousand dollars (\$3,000) conditioned upon the faithful performance of the duties of the office. The judge of probate shall enter into bond with lawful sureties in the sum of five thousand dollars (\$5,000) to be approved by the judge of the circuit court and deposited with the circuit clerk, payable to the county and conditioned upon the faithful performance of his duties as an associate commissioner of the County Board of Administration. The circuit solicitor of such county is charged with the enforcement of the conditions of the bonds.

Section 5. Chairman and Clerk. The probate judge shall be chairman and clerk of the board, and he shall have the rights, authority, privileges, and duties of a member thereof. He shall exercise such jurisdiction, powers, and privileges as are prescribed for probate judges as chairmen of courts of county commissioners. As chairman of the board, he shall: 1) sign the minutes of the proceedings; 2) sign all warrants and orders drawn for the disbursement of county funds; 3) sign all contracts entered into by the county; 4) prepare the order of business and obtain information for the meetings of the board; 5) see to it that all orders of the board are properly executed; 6) act as clerk of the board; 7) keep the records and proceedings of the board in well-bound books provided for that purpose; and 8) act as the county purchasing agent. Further, the chairman shall: 1) prepare the county budget; 2) maintain accounting control records; 3) pre-audit disbursements prior to submission to the board; 4) supervise the preparation of warrants; 5) negotiate purchases and sales; 6) compile financial reports; 7) maintain property control records; 8) conduct periodic audits of county officials receiving or disbursing public funds; 9) perform such other duties as may be prescribed by the board.

Section 6. Records. Records of the board shall be kept in the office of the probate judge for examination by citizens of the county and other interested parties.

Section 7. Assistant Clerks. If the business of the county warrants it, the board may employ an assistant board clerk and prescribe his duties and fix his compensation at a sum not in excess of \$2,700 per annum. Such assistant clerk shall perform his duties under the supervision and direction of the probate judge. An additional subordinate clerk may be employed at a salary not to exceed \$1,500 per annum when in the judgment of the county board of administration the work of the county warrants it.

Section 8. Temporary chairman. In case the chairman is absent, the senior member among the associate commissioners in length of service shall act as temporary chairman of the meeting and perform the duties delegated by law to the probate judge as presiding officer.

Section 9. Meetings. The board shall hold regular sessions on the first Monday of each month, and shall continue to sit from day to day until the business of the board shall be attended to; and the board may

adjourn to meet at a later date by a resolution entered upon the minutes of the board and no notice of the said meeting shall be necessary. Special meetings of the board may be held at any time upon 1 day's notice to the members thereof; the two associate commissioners or the judge of probate may call a special meeting. The notice of a special meeting may be given by letter addressed to a member at the post office where he usually receives his mail. All sessions of the board shall be held at the courthouse.

Section 10. Quorum. Any two members of the board shall constitute a quorum for the transaction of business.

Section 11. Vacancies. Any vacancy occurring in the associate membership of the board shall be filled by the remaining members of the board at its next regular meeting. In the event no person receives a majority of the votes of the remaining members of the board, the probate judge shall forthwith certify the facts to the Governor, who shall then make the appointment from a list of nominees submitted by the remaining members. Such an appointee shall hold office for the unexpired term, if the vacancy occurs too late for a successor to qualify in a regular primary, but shall be filled by election if such vacancy occurs in time for a successor to qualify in a regular primary.

Section 12. Compensation. As chairman of the board, the probate judge shall receive the same compensation for his services as is allowed by law to probate judges for like services as chairmen of courts of county commissioners; provided, however, that in no case shall his total compensation, both as probate judge and as chairman of the board, be less than six thousand dollars (\$6,000) per year; in the event the total compensation of the probate judge, both as probate judge and as chairman of the board, is less than \$6,000 in any year, the county shall supplement the judge's regular compensation and make up the difference. The compensation of associate commissioners shall be one hundred and twenty five dollars monthly. The compensation provided herein shall be paid on the first day of each month next after taking office, out of the general fund of the county.

Section 13. Authority of the board. Except when in conflict with this Act, the board shall have the jurisdiction and authority vested in courts of county commissioners by the general laws of this State and by local or general laws which are applicable to the county. The board shall not execute its orders; it shall direct the execution thereof by duly constituted authorities and agents provided for in this Act or in other laws not in conflict with the provisions of this Act. The board can only act as a body and then only when it is in session as such.

Section 14. County Road Engineer. The board shall appoint a county road engineer, and the engineer shall be the agent through whom the board shall exercise its authority and perform its duties with respect to the construction, maintenance, repair, and control of roads and bridges. The engineer must be a licensed professional qualified to practice engineering and land surveying in this State, and he shall have had at the time of his appointment not less than three years' experience in highway maintenance and construction. The board shall appoint an engineer from nominations made by the State Highway Director, but if the State Highway Director refuses to make a nomination upon request, the board may fill the position by appointing some person having the qualifications set out herein. In the event the State Highway Director fails to nominate some person for appointment as engineer who is acceptable to the board, the State Highway Director shall be requested to make additional nominations. The county engineer shall give his entire time and attention to the duties of his employment, and he will receive an annual salary not to exceed the amount specified by law which shall be paid in equal monthly installments out of the proceeds of the State gasoline tax allocated to the county. The engineer shall serve at the will and pleasure of the board. Subject to general supervision and control by the board, the

engineer shall have charge of the construction, maintenance, repair, and establishment or discontinuance of roads and bridges within the county. The county engineer shall personally direct the county organization for the construction and maintenance of county roads and shall construct and maintain county roads on the basis of the county as a unit without respect to any district or beat lines. Subject to approval by the board, the engineer shall have authority to employ and appoint such assistants as may be necessary to perform the duties of his employment. At each regular meeting of the board, the engineer shall report on all work performed under his supervision, the contracts and purchases negotiated by him, the employment of labor and payrolls, and such other matters as will advise the board of his activities. The engineer shall be custodian of all tools and machinery, and it shall be his duty to keep the same in a warehouse except when in use. The engineer shall be held accountable for all road-and-bridge tools, machinery, equipment, and supplies, and all gasoline, motor fuels, and lubricants owned by the county.

Section 15. Retirement System. The board shall by resolution provide for the participation of county employees in the State Employees' Retirement System, in accordance with or as provided for in Section 12 of Act 515, approved July 9, 1945, or in accordance with any statutes or regulations then existing relating to the administration of the State Employees' Retirement System of Alabama.

Section 16. Transfer of Funds. The board may transfer to the road-and-bridge fund any surplus in the county's general fund or any other special fund when, in the judgment of the board, that will promote the interests of the county.

Section 17. Financial Statements. The probate judge or such other persons as may be designated by the board shall furnish to each member of the board upon request a financial statement showing the current financial condition of the county.

Section 18. Budget. The probate judge or other person designated by the board shall, prior to August 1, of each year, prepare and submit to the board a proposed budget for the forthcoming fiscal year. On or before October 1, of each year, the board must adopt a budget and appropriate sufficient funds to pay the expenses of the county as shown in the budget.

Section 19. Warrants. The chairman of the board shall sign all warrants, but in his absence or if he is unable to attend to business, the board may designate one of their number to sign warrants; such designation shall be entered upon the minutes of the board. No warrants shall be issued unless sufficient funds have been provided with which to pay the same upon presentation.

Section 20. Auditing and Payment of Claims. The board is charged with the responsibility of auditing, prior to payment, all claims against the county. All persons, firms, or corporations that sell materials, supplies, or equipment or render personal services to the county shall itemize in detail and swear to all claims against the county. All claims shall be approved by the county official concerned and the chairman of the board before submission to the board for audit and payment. No claims against the county shall be paid without approval of a majority vote of the board which approval must be recorded in the minutes. It shall be unlawful for the chairman or any other person to issue a warrant in payment of a claim not approved by the board.

Section 21. Purchases and Contracts. The board is charged with the duty of supervising or negotiating all county purchases and contracts which are to be paid for out-of-county funds. The board may, at its option, negotiate purchases and contracts through the State Department of Finance, the State Highway Department, or any other State agency authorized by law to handle county purchases or contracts. Such purchases or contracts shall be handled in the same manner as such transactions are made for the State. In case the board elects to conduct its own

purchase or contract negotiations, it shall do so only after bona fide sealed competitive bids have been solicited. At least three weeks before making a purchase or letting a contract, the board shall advertise for bids at least one time in a newspaper published in the county and shall post at the courthouse a public notice calling for bids. In addition, the board shall mail requests for bids to three or more of the leading firms or persons in the general trade territory in which the county is located who deal in the commodities or services to be purchased or contracted for. No purchase or contract in excess of two hundred and fifty dollars (\$250.00) shall be made without a prior order by a majority of the board, and the order must appear in the minutes of the board. The chairman may make purchases and contracts without formal notice and bids when the amount involved does not exceed two hundred and fifty dollars (\$250.00), provided that a report of such purchases and contracts is submitted to the board for approval at its next regular meeting. The engineer may make purchases and contracts not exceeding two hundred and fifty dollars (\$250.00) without formal notice and bids upon receiving prior approval of the chairman, provided that a report of such purchases and contracts is submitted to the board for approval at its next regular meeting. It shall be unlawful for the board to approve payment for any purchase or contract not made in compliance with the provisions of this Section.

Section 22. Sales. Whenever any property of the county is to be sold, the board may make the sale through the State Department of Finance or any other State agency authorized to handle such transactions for counties and such sales shall be made in the same manner as sales are made for the State. However, if the board so elects it may conduct its own sales. In the event the board elects to conduct a sale, it shall, not less than three weeks before making the same, advertise for bids in a newspaper published in the county and post at the courthouse a notice or invitation for bids. In addition, the board shall request bids from not less than three firms or persons trafficking in the property to be sold within the general trade territory in which the county is located. No sale involving more than two hundred and fifty dollars (\$250.00) shall be made without a prior order of the board entered in the minutes thereof. If the valuation of the item to be sold is not in excess of two hundred and fifty dollars (\$250.00), the chairman of the board may make sales of surplus or discarded materials, supplies, and equipment without formal notice and bids. A report of each sale made by the chairman shall be submitted to the board for approval at its next regular meeting. The engineer may, after receiving the prior approval of the chairman of the board, make sales of surplus or discarded materials, supplies, and equipment without formal notice and bids if the amount involved in any sale is not in excess of two hundred and fifty dollars (\$250.00). A report of any such sale made by the engineer shall be submitted to the board for its approval at its next regular meeting. Every check made for payment of property purchased from the county shall be made payable to the board and the board shall deposit the proceeds thereof to the credit of the proper county fund.

Section 23. Financial Control and Indebtedness. The board shall be governed by the general and special laws of the State applicable to county financial control, the issuance of county bonds, or other obligations of indebtedness, except as otherwise provided in this Act.

Section 24. Temporary Loans. Tax anticipation warrants or notes shall be issued to cover all such temporary indebtedness and must mature in the fiscal year in which issued. The aggregate amount of all such temporary tax anticipation warrants or notes issued shall not be greater than fifty per cent (50%) of the annual income of the fund against which said tax anticipation warrants or notes are issued; and in no case can the amount of principal and interest on such temporary loans be greater than an amount which can be included in the annual budget and

liquidated at maturity. Proceeds of temporary loans shall not be used for purposes other than those of the fund against which the loan is made.

Section 25. Maturity of Bonds and Warrants. Bonds and warrants shall be used as evidence of all indebtedness which extends more than one year beyond the date of issue. All bonds, warrants, revenue obligations and other evidences of indebtedness whether new obligations or whether they be for refunding purposes shall mature serially in annual installments. The first annual installment shall be payable not more than three years after the date of issue, and the last installment completely liquidating the indebtedness shall be payable not more than twenty years after the date of issue; but in no case shall the term of indebtedness extend beyond the useful life of an improvement. No such installment shall be more than twice as large as the smallest prior installment of the same issue.

Section 26. Debt Limit. If the total amount of indebtedness outstanding at any one time against any fund of the county exceeds an amount that will require for debt service more than eighty per cent (80%) of the annual income of the fund based on an average of the three fiscal years preceding the current year, no new issue of bonds or warrants shall be made. No new issue of bonds, warrants, revenue obligations, or other evidences of indebtedness shall be made against any fund which pledges the income or revenue or part of the income or revenue of any kind from the fund which will raise the amount required for debt service to a figure greater than the unallocated or unbudgeted part of that fund. The figure used for debt service shall include interest and installments on the principal. In addition to the above limits there shall be a statutory debt limit which shall prohibit the county from incurring a total debt against all funds and revenues greater than three times the constitutional debt limit. The board shall not issue bonds, warrants, revenue obligations, or other evidences of indebtedness which shall cause the total county debt to be raised above such limit.

Section 27. Place of Payment and Fees for Fiscal Agent. All notes, bonds, warrants, revenue obligations and other evidences of indebtedness may be made payable at such place or places as the board shall determine. No contract shall be made with any paying agent, as reimbursement for such services performed and expenses incurred, including exchange, handling charges, collecting and paying cost which shall exceed one-tenth of one per cent of the principal amount of such obligations to be paid and one-fourth of one per cent of the amount of any interest paid.

Section 28. Sale of Securities. All bonds, warrants, revenue obligations, or other evidences of indebtedness, if sold, exchanged, or refunded, shall go to the best bidder at public sale unless sold at a better price within thirty (30) days after failure to receive an acceptable bid at a duly advertised sale in accordance with this Section. The public sale will be by sealed bids opened in public. The notice of sale shall state: the amount of bonds to be sold, exchanged, or refunded; the maturities thereof; the amount payable at each maturity; the time and place for submitting the sealed bids; and shall include an invitation to the bidders to name the rate of interest in their bids. Bidding shall be conducted on the deposit of a certified check of not less than two per cent (2%) of the principal amount of the securities offered for sale and the notice of sale shall so state. Prior to the sale, such notice shall be published once in each of three consecutive weeks in a local county newspaper if there be any and in three other newspapers in the State. Notice shall be posted at the courthouse of the county and two other public places in the county. A copy of the notice shall be filed with the Chief of the Division of Local Finance in the State Department of Finance three weeks before any sale, refunding, or exchange, and the Division of Local Finance shall be requested to furnish notice to all dealers, banks, or other applicants whose names are on the mailing list of that agency. The county shall have the right to reject all bids. In determining the best bid, consideration shall

be taken of the rate of interest, any fee charged or premium offered, and all other factors affecting the net cost. The determination of the best bid on these points by the board shall be final. The minutes of the board shall show the names of those bidding and the amounts of the bids. Refunding bonds, warrants, or revenue obligations, or other evidences of indebtedness can only be exchanged with the holders of the outstanding bonds, warrants, revenue obligations, or other evidences of indebtedness when their bid is determined to be better than any other bid. Refunding bonds, warrants, or other evidences of indebtedness shall not be exchanged with the holder of the outstanding issues before the maturity in such a manner as to circumvent the provisions of this Act requiring competitive bidding.

Section 29. Purpose of New Bonds. No new bonds or warrants, revenue obligations, or other evidences of indebtedness shall be issued except for internal improvements or for other improvements authorized by the Constitution or by laws enacted in accordance with the Constitution. This Section shall not operate to prevent the funding or refunding of existing debts.

Section 30. Callability. All bonds or warrants, revenue obligations, or any other evidences of indebtedness maturing more than ten (10) years from date of issue shall be made callable and subject to redemption after ten (10) years and can, after ten (10) years, be paid at any time by giving six (6) months' notice to the holders in a newspaper published or circulated in the county and in at least one newspaper published in each of the three (3) largest cities in the State. All bonds, warrants, revenue obligations, and all other forms of evidence of indebtedness shall have a provision under which they are callable and payable on six months' notice at not to exceed one hundred and five (105) per cent of par at any time prior to the end of the first ten (10) years.

Section 31. Interest. No bonds or warrants, revenue obligations, or other evidences of indebtedness shall bear a rate of interest greater than five (5) per cent per annum. Interest shall be made payable semi-annually on the first of any calendar month.

Section 32. Sales to be Made at not Less than 98% of Par. No bonds, warrants, revenue obligations, or other evidences of indebtedness shall be sold at less than ninety-eight (98) per cent of their par value plus accrued interest from the date of issuance to the date upon which they are delivered and paid for.

Section 33. Exchanges, Refunding, and Liquidation. No bonds, warrants, revenue obligations, or other evidences of indebtedness shall be exchanged for refunding bonds, warrants, revenue obligations, or other evidences of indebtedness unless due or callable within ninety (90) days and all refunded securities shall be cancelled simultaneously with the issuance of the new securities. All bonds, warrants, revenue obligations, or other evidences of indebtedness originally incurred for highway or road construction that are not paid on or before maturity shall be refunded as claims against the gas-tax funds accruing to the county. The interest and principal payments on all gas-tax bonds, warrants, or obligations issued against the county's share of the gasoline tax, when the issue is for ten thousand dollars (\$10,000) or more, shall be deducted from the county's part of the tax by the State Comptroller and paid to the holder of the bonds, warrants, revenue obligations, or other evidences of indebtedness.

Section 34. Validity of Existing Claims. Nothing in this Act shall be construed to invalidate any outstanding bonds, warrants, revenue obligations, or other evidences of indebtedness or prevent the refunding of any of them that remain unpaid at the final maturity of the issue: neither the probate judge nor any member of the board nor any authorized official of the county shall sign new bonds, warrants, or other evidences of indebtedness, or refunding bonds, or refunding warrants, or

other evidences of indebtedness of claims not handled in accordance with the provisions of this Act.

Section 35. Payment of Incidental Costs. The board may pay the cost of printing warrants, bonds, revenue obligations, or other evidences of indebtedness, the cost of advertising the sale, the attorney's fees for preparing proceedings, the attorney's fees for furnishing an opinion as to legality acceptable to the purchaser, and other expenses incidental to the issue of securities, but only the actual cost thereof shall be paid, and all such payments shall be made to those actually rendering such services and not to the purchaser of such securities in a lump sum or otherwise. No commission or other compensation shall be paid for procuring a purchaser of bonds, warrants, revenue obligations, or other evidences of indebtedness issued hereunder. The probate judge shall not sign any warrants or checks in payment of any charges, fees, or commissions which are contrary to these provisions.

Section 36. Validity of Obligations. Bonds, warrants, revenue obligations, or other evidences of indebtedness reciting that they have been issued pursuant to the terms of this Act shall be conclusively deemed to be fully authorized hereby and to have been issued, sold, executed, and delivered in conformity herewith and with all other provisions of law applicable thereto and shall be incontestable, anything herein or in other statutes to the contrary notwithstanding, unless an action or proceeding is begun before or within thirty days after the day upon which the bonds, warrants, revenue obligations, or other evidences of indebtedness are delivered and paid for. No irregularity in the proceedings to authorize the issue of said securities hereunder nor the omission or neglect of any officer charged with the execution of any duties imposed by this Act shall affect the validity of any securities issued hereunder provided the issuance of such securities shall have been properly approved by the board.

Section 37. Exemption From Taxation. All bonds, warrants, revenue obligations, or other evidences of indebtedness and interest coupons attached to the same issued hereunder shall be exempt from State, county, and municipal taxation.

Section 38. Effective date. (a) The substantial provisions of this Act shall not become operative until approved by the electors of Wilcox County at a referendum election to be held not more than sixty (60) days after the date of this enactment, or at an earlier date if another referendum election is scheduled to be held in the county. The governing body of Wilcox County shall determine the date upon which this referendum election is to be held. The chairman of the governing body shall issue a proclamation stating the time of holding the election and the proposition to be submitted to the electors, and the proclamation shall be published one time at least ten (10) days prior to the election in a newspaper of general circulation in the county.

(b) On the ballots to be used at the election, the proposition shall be stated substantially as follows: "Shall Wilcox County adopt the provisions of Act _____ of the 1949 Legislature, approved the _____ day of _____, 1949?"

Yes () No ().

(c) If a majority of the votes at the election shall be "yes", the provisions of this Act shall be adopted by Wilcox County and shall become effective immediately. If a majority shall be "no", the Act shall have no effect.

Section 39. Severability. The provisions of this Act are severable. If any part of the Act is held to be unconstitutional or invalid, such decision shall not affect the part that remains.

Section 40. Repealer. All laws in conflict with this Act are repealed. July 14, 21, 28, Aug. 4th.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared Stanley D. Godbold, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wilcox Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1949.

STANLEY D. GODBOLD.

Sworn to and subscribed before me August 4, 1949.

J. L. RICHARDS,
Notary Public.

By Mr. Cater:

S. B. 615. To authorize the governing body of any municipality in the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

Committee on Local Legislation.

By Mr. Cater:

S. B. 616. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Committee on Local Legislation.

By Mr. Cater:

S. B. 617. Relating to all cities in the State of Alabama having

a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Committee on Local Legislation.

By Mr. Cater:

S. B. 618. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

Committee on Local Legislation.

By Mr. Cater:

S. B. 619. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation

of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Committee on Local Legislation.

By Mr. Fite:

S. B. 620. To amend Act No. 200, which passed the Senate on June 28, 1949 and passed the House on July 6, 1949, said Act being entitled "An Act to propose an amendment to the Constitution of Alabama 1901, to authorize the governing body of Marion County, Alabama, to issue bonds, warrants, or other evidences of indebtedness and to pledge in payment of the principal and interest due upon any such bonds, warrants, or other evidences of indebtedness, only the proceeds derived, or to be derived, from any special county privilege, license or excise taxes heretofore or hereafter levied and collected within Marion County, Alabama, for the sole and exclusive purpose of constructing, equipping, operating, maintaining or improving public hospitals or related hospital or health facilities, including clinics, nursing homes, public health centers and laboratory facilities, or for such other public purposes of any kind and description as in the judgment of the governing body of the county of Marion is meet and proper, and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature."

Committee on Local Legislation.

The above bill was read a first time at length as required by the Constitution.

By Mr. Hardwick:

S. B. 621. To amend Section 124, Title 51, Code of Alabama 1940, providing for salaries of the legal counsel and the assistant counsel of the Department of Revenue.

Committee on Judiciary.

By Mr. Gullledge:

S. B. 622. To authorize the establishment and operation of wineries for the manufacture of wines from fruits and berries grown within the State.

Committee on Temperance.

REPORTS OF COMMITTEES

Mr. Wright, Chairman of the Standing Committee on Public Health reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hardwick, Hooton, Fite and Mize:

S. 610. To provide for the designation of a hospital association or board heretofore or hereafter organized under the provisions of Act No. 211, General Acts of Alabama, approved July 7, 1945 (Acts of 1945, page 330) or under the provisions of Act No. 46 adopted by the 1949 Regular Session of the Legislature of Alabama approved June 2, 1949, as the agency of the county to acquire, construct, equip, operate and maintain public hospital facilities in any county in which a special county tax for public hospital purposes has heretofore or shall hereafter be authorized at an election held in the county pursuant to the provisions of any amendment to the Constitution; to provide for the payment of proceeds of the special county tax to such hospital association or board so designated; to confer authority upon such hospital association or board to anticipate the proceeds of any such special county tax required to be paid to it by the issuance of securities and to pledge for the payment of the principal and interest thereon, not exceeding 75% of the annual proceeds from said tax so paid to it; to authorize the pledge of all or any part of the revenues of such hospital association or board in payment of its securities and the mortgage of all or any part of the property, real or personal, or any interest therein of such hospital association or board as security for such payment; to provide for the sale of such securities and for the validation of said tax and of the agreements and pledge made for such securities; and to repeal Act No. 237 adopted by the 1949 Regular Session of the Legislature of Alabama and approved July 14, 1949.

Mr. Swift, Chairman of the Standing Committee on Rules reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recom-

mendation with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Sullivan and Merrill (without recommendation) (with amendment):

H. 872. To amend Section 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts of Alabama, 1945, page 734), as amended, which establishes a state employees' retirement system.

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Sullivan, Stone and Johnston:

H. 975. To provide in all counties in this State having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent Federal census, for an action of ejectment to recover possession of real property sold under an agreement of sale whereby title to said real property is retained until full payment of the purchase price is made when default has been made in the payments provided for by such agreement of sale and to provide for the redemption of such property.

By Messrs. Kaul, Dumas, et al:

H. 971. To further amend an Act of the Legislature, approved July 8, 1943, General Acts of Alabama of 1943, Page 390, entitled "An Act to apply in but only in, counties which have a population of 400,000 or more, according to the last or any subsequent Federal Census, and which counties are Wet Counties under Section 68 of Title 29 of the 1940 Code of Alabama; and to require the payment to such counties of a license tax, in addition to all other taxes and licenses now required by law, of one cent on each twelve fluid ounces or fractional part thereof of malt or brewed beverages sold, distributed, delivered, stored, or taken out of storage within such counties; and to provide for the ascertainment collection, payment, and distribution of such license tax and for the enforcement of this Act; and to prescribe penalties and fix punishment for the violation of any provisions of this Act; to repeal any existing ordinances or statutes in conflict with the provisions of this Act," as heretofore amended.

By Mr. Larkins (with notice and proof):

H. 973. To provide for meetings of the Court of County Commissioners of Coffee County at Elba and Enterprise.

By Messrs. Dumas, et al:

H. 970. To amend Sections 5 and 6 of Act No. 414 of the Legislature of Alabama of 1947 (General Acts of 1947, p. 304), which fixes, levies, and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population

of 400,000 or more, according to the last or any subsequent Federal census.

By Messrs. Kaul, Dumas, et al:

H. 968. To amend an Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act.

By Messrs. Kaul, Dumas, et al:

H. 967. To amend Section 84, Title 52, of the Alabama Code of 1940, insofar as said Section relates to counties having a population of 400,000 or more, according to the last or any succeeding Federal census.

By Messrs. Dumas, Adams (Jefferson) et al (with notice and proof):

H. 966. To abolish the Board of Commissioners of the City of Bessemer, Alabama; to provide in lieu thereof a Board of Commissioners for said City; to provide for the number and designation of the members of the said Board of Commissioners, their mode, manner and time of election and their terms of office; to provide for the authority, powers and rights of the members thereof; to provide for the separate departments of government of said Board and to designate the heads of such departments; to provide for the meetings of said Board and the presiding officer thereof; to provide for the giving of security bond by the members thereof; to provide for the qualifications of the officers and employees of said City, and to prohibit them from being interested in certain contracts of work; to provide for the publication of the financial conditions and of audits of said City; to provide for the method of filling vacancies in said Board; to provide for the salary of the members of said Board; to provide for the public meetings of said Board and procedure therein; to provide for the regulation

of municipal elections in said City; to provide for the method and manner of changing the form of government of said City; to provide for the recall of officers of said City; to provide for regulations as to the manner and presentation of petitions; to provide for Recorder, his qualifications, duties and compensation; to provide for the effect of the constitutionality of any portion of this Act; and to provide when this Act shall take effect.

By Mr. Brannan (with notice and proof):

H. 852. To abolish the office of Deputy Circuit Solicitor and County Solicitor for Baldwin County, Alabama, and to require the Circuit Solicitor of the 28th Judicial Circuit to represent the State of Alabama and Baldwin County in all ways required of the County Solicitor by law.

By Mr. Mize (with notice and proof):

S. 608. To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

Mr. Owens, Chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Brassell and Cole:

H. 964. To amend Section 342 of Title 37 of the Code of Alabama (1940) which relates to the powers of municipalities in regard to the acquisition of public improvements, as amended by Act No. 66, General Acts of Alabama, approved June 14, 1949.

RESOLUTION

Mr. Cater offered the following Senate Joint Resolution, to-wit:

S. J. R. 64. WHEREAS, Maxwell Field, Located at Montgomery, Alabama, has been an outstanding air field for many years and

WHEREAS, various schools of the Air Force, such as the Technical Training School, Air University etc. have been located at Maxwell Field, and

WHEREAS, there is now proposed by the Air Force of the United States to establish a "West Point of the Air" and such a proposed college has not yet been established, and

WHEREAS, Maxwell Field because of its environment and history as a school is the ideal location for the "West Point of the Air".

Now, therefore, BE IT RESOLVED, by the Senate of Alabama, the House Concurring, that we do hereby memorialize Congress to establish the said "West Point of the Air" at Maxwell Field, in Montgomery, Alabama.

Be it further resolved that the Secretary of the Senate is instructed to send a copy of this resolution to the Secretary of Defense, Washington, D. C., the Secretary of the Air, Washington D. C., and to each Senator and Representative from Alabama now in Congress.

And on motion of Mr. Cater, the rules were suspended and the resolution adopted by the Senate.

Mr. Gullledge offered the following Senate Joint Resolution, to-wit:

S. J. R. 65. BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING:

1. A legislative investigation of the condition of the State's property at Fort Morgan is directed.

2. The President of the Senate shall designate three members of the Senate, and the Speaker of the House shall designate five members of the House to serve on a special committee to make a thorough inspection and investigation of the condition of the State's property at Fort Morgan, and the committee is directed to submit a report of its findings, in writing, not later than the 30th legislative day, to the Legislature.

3. The Director of Public Safety is requested to furnish transportation for committee members in and about the performance of their duties.

And on motion of Mr. Gullledge, the rules were suspended and the resolution adopted by the Senate.

FURTHER CONSIDERATION OF H. J. R. 114

The Senate proceeded to further consideration of the resolution, H. J. R. 114. Relative to adjournment of the two Houses.

Mr. Russell offered the following substitute for the Resolution, to-wit:

SUBSTITUTE FOR H. J. R. 114

WHEREAS, House Bill 52 (the general appropriation bill) and House Bill 380 (Education Appropriation bill) are, or will be, in the Senate for consideration, and

WHEREAS, it will be necessary for the Senate Finance and Taxation Committee to give minute study and consideration of said bills prior to their being reported to the full Senate for its consideration, and

WHEREAS, there are only eight legislative days remaining in the present Session, now, therefore,

BE IT RESOLVED by the Senate, the House of Representatives concurring, that when the two Houses adjourn August 9th, 1949 they adjourn to meet again on Tuesday, August 16th, 1949, and

BE IT FURTHER RESOLVED that during said recess the Senate Finance and Taxation Committee shall meet subject to the call of the Chairman thereof for the purposes of the above outlined.

BE IT FURTHER RESOLVED that any members of the Senate Finance and Taxation Committee who may be excused by the Chairman from attendance will not be paid for the days absent.

BE IT FURTHER RESOLVED that any members of the House or Senate attending the meetings of the committee shall be allowed per diem and expenses for such attendance as may be necessary.

BE IT FURTHER RESOLVED that all payments to members of the committee or members of the House or Senate appearing before the committee shall be on certificate approved by the Committee and filed with the Comptroller, and no other per diem or expenses shall be paid members of the House or Senate during the recess.

BE IT FURTHER RESOLVED that no mileage shall be paid to any member of the Legislature because of such recess.

Which was adopted.

Yeas 27; Nays 6.

Yeas:

Messrs.:	Clayton	Hughes	Patton
Allen	Coleman	Kendall	Perry
Barrett	Gaither	Kimbrell	Quarles
Boutwell	Golson	Lowe	Russell
Bridges	Gulledge	Mize	Summerlin
Burnside	Hardwick	Owens	Swift
Cater	Henderson	Patterson	Wright

—27

Nays:

Messrs.:	Harvey	Howle	Langan
Fite	Hooton	Lamberth	

—6

And said resolution, as thus amended by the substitute, was then adopted by the Senate.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Cater further consideration of the bill, S. B. 494, was indefinitely postponed by the Senate.

BILLS ON THIRD READING

The Bill:

S. 519. To authorize the incorporation with respect to each municipality having a population exceeding 75,000 and not more than 140,000 inhabitants according to the last or any subsequent Federal decennial census of non-profit public corporations for

the purpose of promoting industry, developing trade, and furthering the use of agricultural and natural resources; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporations; to authorize such corporations to issue bonds payable solely from the revenues and receipts derived from any such properties and to secure such bonds by pledges of such revenues and receipts and by mortgages on such properties; to authorize the refunding of any such bonds; to provide that all bonds of such corporations shall be negotiable instruments; to provide for remedies in the event of default in such bonds; to exempt from taxation such corporations and their properties and income, and their bonds and the income therefrom; to provide that such municipalities shall not be liable for any obligations or agreements of such corporations; to provide for the disposition of any earnings of the corporation; to provide that upon dissolution of such corporations all funds held by them and title to their properties shall vest in the municipalities with respect to which they are organized; to provide for the filing of the certificates of incorporation, deeds to such corporations, and their mortgages and certificates of dissolution without the payment of any taxes; and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Fite	Kimbrell	Perry	
Boutwell	Glover	Langan	Russell	
Bridges	Gulledge	Mize	Swift	
Burnside	Harvey	Owens	Wright	
Cater	Hooton			—21

Nays: —0

The Bill:

H. 773. To fix the compensation of the Solicitor of the Morgan County Court in and for Morgan County, Alabama, and to provide the period during which this act shall be effective.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Bridges	Gaither	Hardwick
Allen	Cater	Glover	Henderson
Boutwell	Coleman	Golson	Hughes

Kendall	Mize	Perry	Swift	
Lamberth	Owens	Russell	Wright	
Langan	Patterson			—21
Nays:				—0

The Bill:

H. 774. To provide for the payment of the expenses of the County Superintendent of Education of Morgan County, Alabama, incurred by the Superintendent in the performance of his official duties within the County and the expenses incurred by him when his official duties require him to go outside the County and to provide that such expenses shall be fixed, approved and authorized by the County Board of Education of Morgan County, Alabama, and that the total of such accounts shall in no event exceed the sum of \$900.00 per annum.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Howle	Patton	
Allen	Golson	Kendall	Quarles	
Barrett	Hardwick	Lamberth	Russell	
Burnside	Harvey	Lowe	Summerlin	
Cater	Henderson	Mize	Wright	
Coleman	Hooton			—21

Nays: —0

The Bill:

H. 775. To fix the compensation of the members and the Chairman of the Board of Revenue and Control of Morgan County, Alabama, and to provide the period during which this act shall be effective.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Patton	
Allen	Glover	Kimbrell	Perry	
Boutwell	Gulledge	Langan	Russell	
Burnside	Henderson	Mize	Swift	
Clayton	Hooton	Patterson	Wright	
Coleman	Howle			—21

Nays: —0

The Bill:

H. 776. To amend Section 1 and Section 3 of Act No. 361 of the Legislature of Alabama, which act became a law on September

14, 1939, and which act fixed the compensation or salary to be paid to the Tax Assessor of Morgan County, Alabama, as amended by Act No. 73 of the Legislature of Alabama, approved May 28, 1943.

was taken up.

Mr. Russell offered the following amendment to the bill, to-wit:

Amend House Bill 776 by striking from Section 2 thereof the words and figures "Thirty-eight Hundred (\$3,800.00)" and insert in lieu thereof the words and figures "Four Thousand One Hundred (\$4,100.00)".

Also amend said bill by striking from the last sentence of Section 2 thereof the figures "3,800.00" and insert in lieu thereof the figures "4,100.00".

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Owens	
Allen	Gaither	Kimbrell	Patton	
Boutwell	Glover	Lamberth	Quarles	
Burnside	Gulledge	Langan	Russell	
Cater	Harvey	Lowe	Wright	
Coleman	Hooton			—21

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Owens	
Allen	Gaither	Kimbrell	Patton	
Boutwell	Glover	Lamberth	Quarles	
Burnside	Gulledge	Langan	Russell	
Cater	Harvey	Lowe	Wright	
Coleman	Hooton			—21

Nays:

—0

The Bill:

S. 465. To amend Section 111 of Title 17 of the 1940 Code of Alabama, as amended, which relates to the time of opening and closing polls where voting machines are used.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 25; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patton	
Allen	Fite	Lamberth	Perry	
Boutwell	Gaither	Langan	Quarles	
Bridges	Golson	Mize	Russell	
Burnside	Hardwick	Owens	Summerlin	
Cater	Henderson	Patterson	Swift	
Clayton	Hooton			—25

Nays: —0

The Bill:

H. 811. To fix the term of office of the members of the County Board of Education of Morgan County, Alabama, and to extend the term of V. O. Clark until the General Election in 1952: and to provide that the term of the other members of the board shall remain as they now are.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patton	
Allen	Gaither	Kimbrell	Quarles	
Barrett	Glover	Langan	Russell	
Bridges	Gulledge	Mize	Swift	
Cater	Harvey	Owens	Wright	
Coleman	Hooton			—21

Nays: —0

The Bill:

H. 838. To authorize the Board of Registrars of Madison County to employ a full-time clerk; prescribing his duties and qualifications, fixing his compensation and providing for supplies and equipment for his office.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Howle	Mize	
Barrett	Glover	Kendall	Patton	
Bridges	Gulledge	Kimbrell	Quarles	
Burnside	Hardwick	Langan	Summerlin	
Clayton	Henderson	Lowe	Wright	
Coleman	Hooton			—21

Nays: —0

The Bill:

H. 837. To amend Section 15 of an Act entitled an Act "To establish in Precinct One in Madison County, Alabama, an Inferior Court in lieu of all Justices of the Peace and Notaries Public with the powers of a Justice of the Peace in the said Precinct, to be known as the Inferior Court of Huntsville, to define the jurisdiction and powers of said Court and the Judge thereof." Approved April 4, 1911, as amended by an Act of the Legislature approved March 2, 1931, and as further amended by an Act of the Legislature approved January 8, 1937. And as further amended by an Act of the Legislature approved June 2, 1943.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Mize	
Allen	Glover	Kendall	Patton	
Boutwell	Gulledge	Lamberth	Russell	
Burnside	Hardwick	Langan	Summerlin	
Cater	Henderson	Lowe	Wright	
Coleman	Hooton			—21

Nays: —0

The Bill:

H. 323. To Fix the Compensation of the Members of the Court of County commissioners, or Governing Body, of Elmore County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson	
Barrett	Gaither	Kendall	Perry	
Bridges	Golson	Lamberth	Summerlin	
Cater	Gulledge	Lowe	Swift	
Clayton	Harvey	Mize	Wright	
Coleman	Henderson			—21

Nays: —0

The Bill:

H. 875. Relating to the salaries of the officers of the Juvenile and Court of Domestic Relations—Montgomery County, Alabama, to fix the salary of the Clerk of the Juvenile and Court of Domestic Relations—Montgomery County Alabama, and to fix the maximum amount of the respective salaries to be received by the Probation Officers of said Juvenile and Court of Domestic Relations—Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Gaither	Kendall	Perry	
Boutwell	Glover	Lamberth	Russell	
Burnside	Gulledge	Lowe	Swift	
Cater	Harvey	Owens	Wright	
Clayton	Hooton			—21

Nays:

—0

The Bill:

H. 901. Relating to Madison County; To provide for the election, qualification, and tenure of members of the County Board of Education of Madison County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patterson	
Barrett	Gaither	Kimbrell	Perry	
Boutwell	Golson	Langan	Quarles	
Burnside	Hardwick	Lowe	Summerlin	
Cater	Henderson	Mize	Swift	
Clayton	Hooton			—21

Nays:

—0

The Bill:

H. 917. To provide for the relief of John C. Allen out of the general fund of Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patton	
Barrett	Gaither	Kendall	Perry	
Boutwell	Golson	Lamberth	Russell	
Burnside	Hardwick	Mize	Summerlin	
Cater	Harvey	Patterson	Wright	
Coleman	Henderson			—21

Nays:

—0

The Bill:

H. 924. To amend Section 25 of an Act of the Legislature entitled: "An Act to establish a County Court of Jackson County, Alabama; to define its jurisdiction and powers; to provide for its

officers, their powers and duties and compensations; to provide that said Court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund for said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and in the Probate Court of Jackson County, Alabama, to the Jackson County Court; and to provide for the transfer of certain cases pending in said Jackson County Court to the Equity side of the Circuit Court of Jackson County, Alabama," approved July 10, 1940, and found on pages 368 and 377, inclusive, of the Local Acts of 1939.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Hughes	Patterson
Allen	Golson	Kimbrell	Perry
Bridges	Gulledge	Langan	Quarles
Burnside	Harvey	Lowe	Summerlin
Clayton	Henderson	Owens	Swift
Coleman	Hooton		

—21

Nays: —0

The Bill:

H. 925. To transfer the Juvenile Court of DeKalb County, Alabama from the Probate Court of said county to the DeKalb County Court of said county and to give to said DeKalb County Court exclusive jurisdiction over children and juvenile matters and cases of Desertion and Non-Support; to provide that the Judge of the DeKalb County Court shall be Judge of the Juvenile Court in said county; to allow the clerk \$400.00 per year additional ex-officio fees for his services upon said court, and to allow the Deputy Solicitor of said county \$50.00 per month additional compensation for his attendance and prosecution in said court.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Kendall	Perry
Bridges	Golson	Lamberth	Russell
Burnside	Hardwick	Lowe	Summerlin
Cater	Henderson	Mize	Swift
Coleman	Hooton		

—21

Nays: —0

The Bill:

H. 926. To provide for the relief of Mrs. Mamie Rickles out of the General Fund of Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Kimbrell	Perry	
Barrett	Golson	Lamberth	Russell	
Boutwell	Hardwick	Lowe	Summerlin	
Burnside	Harvey	Mize	Swift	
Cater	Hooton	Patterson	Wright	
Coleman	Hughes			—21

Nays:

—0

The Bill:

H. 874. To provide for the appointment of a Clerk of the Montgomery County Board of Revenue; to prescribe his duties; to authorize the Montgomery County Board of Revenue to fix his compensation, the same to be payable out of the general fund of the county; and to provide for his official bond.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Gaither	Kendall	Quarles	
Barrett	Golson	Lamberth	Summerlin	
Bridges	Hardwick	Lowe	Swift	
Cater	Harvey	Mize	Wright	
Clayton	Hooton			—21

Nays:

—0

The Bill:

H. 435. To amend Section 2 of the Act entitled "An Act, to re-divide the State into judicial circuits, and to provide for holding court in the several counties.", approved August 16, 1947.

Was read a third time at length and passed.

Yeas 20; Nays 7.

Yeas:

Messrs.:	Fite	Kimbrell	Patterson	
Allen	Gaither	Lamberth	Patton	
Boutwell	Harvey	Langan	Perry	
Bridges	Hooton	Mize	Russell	
Burnside	Howle	Owens	Summerlin	
Clayton				—20

Nays:

Messrs.:	Coleman	Golson	Hardwick
Cater	Glover	Gulledge	Swift

—7

The Bill:

H. 453. To authorize and create an additional judge of the Ninth Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, to provide for the designation of each of the two offices of Circuit Judge of said circuit by number and to provide for the salary of said judge.

Was read a third time at length and passed.

Yeas 15; Nays 14.

Yeas:

Messrs.:	Burnside	Harvey	Kimbrell
Allen	Clayton	Hooton	Mize
Boutwell	Fite	Howle	Owens
Bridges	Gaither	Kendall	Patterson

—15

Nays:

Messrs.:	Glover	Hughes	Quarles
Barrett	Golson	Lowe	Summerlin
Cater	Hardwick	Patton	Swift
Coleman	Henderson	Perry	

—14

The Bill:

H. 919. To amend Act No. 215 of the regular session of the Legislature of Alabama of 1947, Approved July 24, 1947 (General Acts of Alabama of 1947, Page 81 Et Seq.) Entitled "An Act to provide, in any city of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal Census, for the incorporation of an authority to lease, or own, or otherwise acquire and provide, control and operate fair-grounds, parks, exhibits, exhibitions and other installation, facilities and places for the amusement, entertainment, recreation and cultural development of the citizens of such city; to provide for the management of said authority by a Board of Directors; to provide for the appointment, and term of office and removal of said Directors; to provide for the powers of such authority; to authorize the City to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions of which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue

bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the City to make appropriations or to lend money to the authority; and to accord the authority exemption from State, County and City taxation."

was taken up.

Mr. Boutwell offered the following amendment to the bill, to-wit:

Amend House Bill No. 919: That the first sentence of Section 4 under Section one of this bill which reads as follows: "Such authority formed under this article shall have a board of directors of six members" be amended to read as follows: "Such authority formed under this Act shall constitute a public benefit agency of the State of Alabama and shall have a board of directors of six members."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Lamberth	Quarles	
Allen	Golson	Langan	Russell	
Boutwell	Gulledge	Mize	Summerlin	
Burnside	Henderson	Owens	Swift	
Clayton	Hooton	Patton	Wright	
Coleman	Kendall			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Lamberth	Quarles	
Allen	Golson	Langan	Russell	
Boutwell	Gulledge	Mize	Summerlin	
Burnside	Henderson	Owens	Swift	
Clayton	Hooton	Patton	Wright	
Coleman	Kendall			—21

Nays: —0

The Bill:

H. 884. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the election of an incumbent thereof; to prescribe the jurisdiction, powers, authority, qualifications, duties, and compensation of such incumbent, and to render such incumbent liable to all the pains and penalties of other Circuit Judges in the State, and to further provide for a

division of authority and duties between judgeships in said Circuit.

Was read a third time at length and passed.

Yeas 26; Nays 3.

Yeas:

Messrs.:	Clayton	Hooton	Mize	
Allen	Coleman	Howle	Owens	
Barrett	Fite	Kendall	Patterson	
Boutwell	Gaither	Kimbrell	Perry	
Bridges	Glover	Lamberth	Quarles	
Burnside	Hardwick	Langan	Wright	
Cater	Harvey	Lowe		—26

Nays: Messrs. Clayton, Glover and Henderson —3

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Gullledge:

S. J. R. No. 65. Relative to a legislative investigation of the condition of the State's property at Fort Morgan.

And the Speaker of the House has named as the Committee on the part of the House:

Messrs. Crocker, Brannan, Shirley, Brassell and Thompson (Crenshaw).

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Cater:

S. J. R. 64. Relative to memorializing Congress to establish the said "West Point of the Air" at Maxwell Field, in Montgomery, Alabama.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

By Messrs. Harris and Stewart:

H. 776. To amend Section 1 and Section 3 of Act No. 361 of the Legislature of Alabama, which act became a law on September 14, 1939, and which act fixed the compensation or salary to be paid to the Tax

Assessor of Morgan County, Alabama, as amended by Act No. 73 of the Legislature of Alabama, approved May 28, 1943.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the Resolution:

By Mr. Snodgrass:

H. J. R. 114. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today they adjourn to meet again on Tuesday, August 9, 1949 at 10:00 A. M., and when the two houses adjourn on Tuesday, August 9, 1949 they adjourn to meet again on Thursday, August 11, 1949 at 9:00 A. M., and when the two houses adjourn on Thursday, August 11, 1949 they adjourn to meet again on Tuesday, August 16, 1949 at 10:00 A. M.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House:

Messrs. Snodgrass, Coburn and Mitchell.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clayton the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the resolution, H. J. R. 114, which said resolution is set out in the foregoing Message from the House.

The President and Presiding Officer of the Senate appointed Messrs. Henderson, Burnside and Russell as conferees on part of the Senate.

BILL ON THIRD READING RESUMED

The Bill:

S. 491. To further define and extend the powers, authority and duties of the Deputy Circuit Solicitor of the Tenth Judicial Circuit of the State of Alabama who is elected by the people; to provide and impose additional duties for such Deputy Circuit Solicitor, and to provide for additional compensation for such Deputy Circuit Solicitor, and to make provision for the payment of such additional compensation.

was taken up.

Messrs. Hardwick and Hughes offered the following amendment to the bill, to-wit:

Amend S. B. 491 by adding the words "20th and 22nd" immedi-

ately following the word "tenth" in the caption and the words "20th and 22nd" following the word "tenth" in Section one and Section two.

Which was adopted.

Yeas 20; Nays 4.

Yeas:

Messrs.:	Coleman	Henderson	Langan	
Barrett	Fite	Howle	Mize	
Boutwell	Gulledge	Hughes	Owens	
Bridges	Hardwick	Kendall	Patton	
Cater	Harvey	Lamberth	Perry	
Clayton				—20

Nays:

Messrs.:	Patterson	Quarles	Swift	
Hooton				—4

RECESS

At 12 o'clock Noon on motion of Mr. Clayton and pending further consideration of S. B. 491, as amended, the Senate took a recess until 2:00 P. M. this afternoon.

AFTERNOON SESSION

TWENTY-NINTH LEGISLATIVE DAY

TUESDAY, AUGUST 9, 1949

The Senate re-assembled at 2:00 P. M., Lieutenant Governor Inzer presiding.

ROLL CALL

Present:

Messrs.:	Fite	Howle	Patterson	
Allen	Gaither	Hughes	Patton	
Barrett	Glover	Kendall	Perry	
Boutwell	Golson	Kimbrell	Quarles	
Bridges	Gulledge	Lamberth	Russell	
Burnside	Hardwick	Langan	Summerlin	
Cater	Harvey	Lowe	Swift	
Clayton	Henderson	Mize	Wright	
Coleman	Hooton	Owens		—34

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Langan:

S. B. 623. To apply only in counties having a population of at least one hundred forty thousand (140,000) and not more than four hundred thousand (400,000) inhabitants according to the last or any subsequent federal census; to provide that persons who served in the armed forces of the United States between January 1, 1917 and November 11, 1918 or between September 16, 1940 and December 8, 1945 and who received an honorable discharge therefrom, may present their certificates of discharge to the board of registrars as supporting evidence of their qualifications for registration, which certificates shall be sufficient and supporting witnesses shall not be necessary.

Committee on Local Legislation.

By Mr. Langan:

S. B. 624. To authorize and require the City of Mobile to hereafter pay and reimburse the County of Mobile a portion of the cost of operating, maintaining and keeping in repair the Mobile County Hospital for the diagnosis and temporary care and treatment of mentally diseased persons; to prescribe how Mobile County shall keep an account of such expenditures and present its claim therefor to the City of Mobile and the time of payment thereof by the City of Mobile; to prescribe a rule of evidence in any suit or suits hereafter brought by the County of Mobile against the City of Mobile to recover of the City of Mobile its proportionate part of any such expenditures; to provide how admissions to said hospital shall be made, and to repeal all laws in conflict herewith.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize and require the City of Mobile to hereafter pay and reimburse the County of Mobile a portion of the cost of operating, maintaining and keeping in repair the Mobile County Hospital for the diagnosis and temporary care and treatment of mentally diseased persons; to prescribe how Mobile County shall keep an account of such expenditures and present its claim therefor to the City of Mobile and the time of payment thereof by the City of Mobile; to prescribe a rule of evidence in any suit or suits hereafter brought by the County of Mobile against the City of Mobile to recover of the City of Mobile its proportionate part of any such expenditures; to provide how admissions to said hospital shall be made, and to repeal all laws in conflict herewith.

Be It Enacted by the Legislature of Alabama as follows:

Section 1: The City of Mobile, a municipal corporation in the State of Alabama shall be and it is hereby authorized and required to hereafter pay to the County of Mobile, a body corporate in the State of Alabama, one-half of the cost of operating, maintaining and keeping in repair, the

Mobile County Hospital for the diagnosis and temporary care and treatment of mentally diseased persons, commencing with the placing in operation by the County of such facility. If the County shall contract, hire or let out the operation of such mental hospital to any society, organization, association or agency, then the amounts paid by the County for the operation for such hospital pursuant to such contract shall be deemed a part of the cost of operating the same within the meaning of this Act and the City shall pay the County its said proportionate part thereof.

Section 2: Admissions to the said mental hospital shall be made upon certificate of the Chairman of the Board of Revenue and Road Commissioners of the County, or Mayor of the City of Mobile, or certificate of the Judge of the Probate Court of Mobile County, Alabama, provided that either the Board of Revenue and Road Commissioners of Mobile County or the Board of Commissioners of the City of Mobile may by resolution duly spread upon its respective minutes appoint a licensed physician to act for the County or the City, as the case may be, in the matter of passing upon and issuing certificates of admission to said institution. The County shall cause to be kept an accurate account of the number of persons admitted to said institution for diagnosis and treatment and who are at the same time fit subjects for public charity.

Section 3: Said County shall cause to be opened and kept, an account to be entitled "Mental Hospital Account" wherein shall be entered and kept an accurate and true account of the amount expended by the County each month for operating, maintaining and keeping such mental hospital facility in repair, and on or before the 20th day of each month, shall file with the Board of Commissioners of the City of Mobile an account of the amount expended by the County during the preceding calendar month for any and all such purposes. Said account shall be verified by the affidavit of the County's Clerk or Administrative Assistant or other person having knowledge of the correctness thereof. It shall be the duty of the Board of Commissioners of the City of Mobile, after the examination of the said account, and on finding the same correct, to pay to the County of Mobile one-half of the amount thereof out of the City Treasury, such payment to be made on or before the 10th day of the month following the presentation and filing of such account.

Section 4: In any suit or proceeding hereafter brought by the County against the City, to recover of the City its proportionate part of such expenditures the books of the County containing the County's account of such expenditures, when supported by the testimony of the County Clerk or Administrative Assistant or other person having charge of the keeping of the books of said county, that said books were kept in the regular course of operating the accounting department of said County and that he believes them to be accurate and true, shall be admissible in evidence, and shall be taken and considered as prima facie establishing the correctness of the facts and account shown thereby.

Section 5: If any section or provision of this Act shall be held invalid, such holding shall not effect nor invalidate any other section or provision hereof which is not in and of itself invalid.

Section 6: All laws or parts of laws in conflict herewith shall be and the same are hereby repealed.

Section 7: This Act shall become effective from and after its passage and approval or its otherwise becoming law.

Register July 2, 9, 16, 23.

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issues of The Mobile Register.

July 2, 9, 16, 23, 1949.

W. M. CURRAN.

Sworn to and subscribed before me this 8 day of Aug. 1949.

GREG L. KERNNY,
Notary Public.

By Mr. Langan:

S. B. 625. To amend Section 201, Chapter 9, Title 15, Code of Alabama 1940, relating to bail, as amended by Act No. 199, as approved July 8, 1949.

Committee on Judiciary.

By Mr. Lowe:

S. B. 626. To propose an amendment to the Constitution relating to the City of Huntsville and the County of Madison.

Committee on Local Legislation.

The above bill was read a first time at length as required by the Constitution.

REPORTS OF COMMITTEES

Mr. Wright, Chairman of the Standing Committee on Public Health reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adams (Jefferson):

H. 477. To regulate further the practice of chiropraxy by making the practice of chiropraxy in a commercial place of business unprofessional conduct, and providing for the revocation of the license of any chiropraxist found guilty of violating this Act.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. McDaniel:

H. J. R. No. 122. WHEREAS, Frank W. Thomas is a distinguished and much beloved citizen of the State of Alabama, and

WHEREAS, during his long and successful career as Coach and Director of Athletics at the University of Alabama, he has brought favorable publicity to the State of Alabama and the South; he has influenced the lives of hundreds of young people by instilling into their characters his high ideals, courage and sportsmanship, and

WHEREAS, Coach Thomas, as he is affectionately known throughout the nation, has been ill for a considerable period of time

Now therefore be it resolved by the House of Representatives, the Senate Concurring, that the Legislature of Alabama extends its appreciation to Coach Frank W. Thomas and its collective hopes for his speedy recovery.

Be it further resolved that a copy of this resolution be sent by the Clerk of the House to Coach Thomas.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mize, the rules were suspended and the resolution, H. J. R. 122, set out in the foregoing Message from the House, was adopted by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolutions with the original Senate Joint Resolutions and finds same correctly enrolled, to-wit:

S. J. R. 57. Relative to: The Legislature of Alabama expressing deeply grief in the passing of Hon. Virgil Bouldin.

Also:

S. J. R. 58. Relative to: Thanking Russell County Delegation for their enjoyable hospitality.

Also:

S. J. R. 59. Relative to: The Senate of Alabama and the House of Representatives expressing thanks to Governor and Mrs. James E. Folsom for dinner served on July 28, 1949.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Ganey:

H. 993. To authorize and empower the Sheriff of Talladega County, Alabama to appoint, in addition to the Deputy or Deputies as now provided by law, a Deputy Sheriff, his term of office, prescribe his duties, fix his compensation, and to authorize and require the Court of County Commissioners of Talladega County, Alabama to pay the same said Deputy out of the General Funds of said County, and to require said Deputy to give bond in the sum of One Thousand Dollars payable to said Sheriff with conditions as required by law.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
TALLADEGA COUNTY**

Before the undersigned authority in and for said County and State, personally appeared Tom Abernathy, who is known to be and who, after being duly sworn to speak the truth, deposes and says on oath as follows: That he is the Editor of Talladega Daily Home, a newspaper published in Talladega County, Alabama, and that the following notice was published in Talladega County, Alabama, in said newspaper once a week for four consecutive weeks, to-wit: On the 5th day of July, 1949; on the 12th day of July, 1949; on the 19th day of July, 1949; and on the 26th day of July, 1949.

NOTICE

I intend to offer the following bill for passage in the Legislature:

AN ACT

To authorize and empower the Sheriff of Talladega County, Alabama to appoint, in addition to the Deputy or Deputies as now provided by law, a Deputy Sheriff, his term of office prescribe his duties, fix his compensation, and to authorize and require the Court of County Commissioners of Talladega County, Alabama to pay the same out of the General Funds of said county, and to require said Deputy to give bond in the sum of One Thousand Dollars payable to said Sheriff with conditions as required by law.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Sheriff of Talladega County, Alabama be, and he is hereby, authorized and empowered to appoint, in addition to the Deputy or Deputies as now provided by law, and additional Deputy, who shall hold office at the pleasure of the sheriff, who shall perform such services as said Sheriff may require of him, in the line and scope of duty pertaining to the Sheriff's office.

Section 2. That said Deputy to be designated by the Sheriff shall receive as compensation a salary of not less than Eighteen Hundred (\$1800.00) Dollars per annum, and not more than Twenty Four Hundred (\$2400.00) Dollars per annum to be determined by the Court of County Commissioners of Talladega County, Alabama, to be paid in Twelve equal monthly installments, out of the General Funds of said County.

Section 3. That the Court of County Commissioners of Talladega County is hereby authorized and required to draw warrants in favor of said Deputy each month for the preceding months salary, on the certificate of the said Sheriff that said work has been performed, said warrants to be paid out of the General Funds of said County.

Section 4. That said Sheriff may require said Deputy to make bond payable to him in the sum of One Thousand (\$1000.00) Dollars, conditional as required by law.

Section 5. That all laws or parts of laws in conflict with this Act be, and the same are hereby repealed.

Section 6. That this Act shall take effect upon its approval by the Governor.

5-12-19-26.

J. S. GANEY,

State Representative from Talladega County, Alabama.

By ELIZABETH M. YOUNG.

Sworn and subscribed to before me, this the 30 day of July, 1949.

SUE S. SUMMERLIN,

Notary Public in and for the County of Talladega
and State of Alabama.

TOM ABERNATHY,
Affiant.

Also:

By Mr. Broadwater:

H. 987. To amend Title 37, Section 667, of the 1940 Code of Alabama.

Also:

By Messrs. Meeks, Beatty, Adams (Jefferson), Gibson and Dumas:

H. 997. To fix and increase the salary of the Judge of the Juvenile and Domestic Relations Court of Jefferson County, Alabama, and provide for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama at its next convening session for the passage of an act to increase the salary and emoluments of the Judge of the Juvenile and Domestic Relations Court of Jefferson County, Alabama.

Age Herald April 11, 18, 25, May 2, 1949.

STATE OF ALABAMA

COUNTY OF JEFFERSON, ss:

On this 5 day of May A.D. one thousand nine hundred and 49 personally appeared before me, Joe L. Roberts a Notary Public in and for the County and State aforesaid J. V. Brightman who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Age-Herald," newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Age-Herald" on the following dates: April 11th 1949; April 18th 1949; April 25th 1949; May 2nd 1949.

Signed J. V. BRIGHTMAN.

Subscribed and sworn to before me this 5 day of May A.D. 1949.

JOE L. ROBERTS,
Notary Public.

My commission expires March 18, 1952

Also:

By Messrs. Vann and Morring:

H. 995. To propose an amendment to the Constitution of Alabama providing for levying and collecting in the school tax district of the City of Huntsville in Madison County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes, and providing for the issuance of bonds to be retired with the funds arising from such tax; ordering an election upon the proposed amendment to be held on the date of the first special or general election held following the expiration of three months after the final adjournment of the present session of the Legislature.

Also:

By Messrs. Mathison and Knight:

H. 988. To provide for additional duties of the Circuit Solicitor for the Judicial Circuit embracing Henry County, Alabama, and to provide for additional compensation and expenses therefor; to provide that said Circuit Solicitor make personal investigations of all homicides, and all other capital felonies committed in said county; to provide that it shall be the duty of said Circuit Solicitor to attend all preliminary hearings in capital cases in said county; to provide that as additional compensation

and expenses for such additional duties, the said Circuit Solicitor shall be paid the sum of \$240.00 per annum in equal monthly installments from the general fund of Henry County, Alabama, by warrants drawn by the Judge of Probate of said county; to further provide that this act is to become effective on the first day of the month following its passage and becoming law.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced for passage at the present session of the Legislature of Alabama, a local bill providing in substance as follows:

A BILL TO BE ENTITLED AN ACT

To provide for additional duties of the Circuit Solicitor for the Judicial Circuit embracing Henry County, Alabama, and to provide for additional compensation and expenses therefor; to provide that said Circuit Solicitor make personal investigations of all homicides, and all other capital felonies committed in said county; to provide that it shall be the duty of said Circuit Solicitor to attend all preliminary hearings in capital cases in said county; to provide that as additional compensation and expenses for such additional duties, the said Circuit Solicitor shall be paid the sum of \$240.00 per annum in equal monthly installments from the general fund of Henry County, Alabama, by warrants drawn by the Judge of Probate of said county; to further provide that this act is to become effective on the first day of the month following its passage and becoming law.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be the duty of the Circuit Solicitor of the Judicial Circuit embracing Henry County, Alabama, to make personal investigations of homicides, and all other capital felonies committed in Henry County, Alabama, and it shall further be the duty of said Circuit Solicitor to attend all preliminary hearings in capital cases in said county; and said Circuit Solicitor shall receive as compensation and expenses for such additional duties and services the sum of \$240.00 per annum, payable in equal monthly installments out of the general fund of Henry County, Alabama, by warrants drawn by the Judge of Probate of Henry County, Alabama, on the treasury of said county.

Section 2. This act shall become effective on the first day of the month following its passage and becoming law.

Jul 7-14-21-28c

STATE OF ALABAMA HENRY COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. Edward Dodd who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Abbeville Herald, a newspaper published at Abbeville, in Henry County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, on the following dates: July 7, 14, 21, and 28th, 1949; in The Abbeville Herald, which said newspaper has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post-

office where it is published for more than 52 consecutive weeks prior to this publication.

J. EDWARD DODD.

Sworn to and subscribed before me on this 30 day of July, 1949.

ALLIEGENE E. FARMER,
Notary Public.

Also:

By Messrs. McDanal and Black:

H. 999. For the relief of Etta Burkett, widow of D. Frank Burkett, of Jasper, Alabama, as compensation for the death of D. Frank Burkett, whose death resulted from injuries received at the hands of prisoners who escaped from the Walker County Jail on the afternoon of June 28, 1948, on which occasion D. Frank Burkett was engaged in the performance of his duties as warden of said Walker County Jail; to authorize and direct the governing body of Walker County to pay Etta Burkett the sum of \$2,500.00 as compensation for the death of D. Frank Burkett.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF WALKER

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, an Act will be introduced and application for its passage will be made.

AN ACT

For the relief of Etta Burkett, widow of D. Frank Burkett, of Jasper, Alabama, as compensation for the death of D. Frank Burkett, whose death resulted from injuries received at the hands of prisoners who escaped from the Walker County Jail on the afternoon of June 28, 1948, on which occasion D. Frank Burkett was engaged in the performance of his duties as warden of said Walker County Jail; to authorize and direct the governing body of Walker County to pay Etta Burkett the sum of \$2,500.00 as compensation for the death of D. Frank Burkett.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Walker County, Alabama, is hereby authorized and directed to pay to Etta Burkett of Jasper, Alabama, the widow of D. Frank Burkett, the sum of \$2,500.00 out of the general funds of said County as compensation for the death of D. Frank Burkett which resulted from injuries received at the hands of prisoners who escaped from the Walker County Jail on the afternoon of June 28, 1948, on which occasion D. Frank Burkett was engaged in the performance of his duties as Warden of said Walker County Jail.

Section 2. This act shall take effect upon its passage and approval of the Governor.

A. J. McDANAL, JR.
CHESTER M. BLACK

AFFIDAVIT

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared E. O. Roden, Publisher of The

Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice—"An Act" who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely: June 30, July 7, July 14 and July 21, 1949.

THE UNION NEWS,
By E. O. RODEN,
Publisher.

Sworn and subscribed to before me, this 21 day of July, 1949.
MRS. ANNIE DAVIS,
Notary Public.

Also:

By Messrs. Meeks, Gibson, Dumas and Beatty:

H. 996. To fix the compensation or salary of the County Treasurer in counties of 400,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require such officer to pay in to the County Treasury of such county or Counties, all fees, commissions, costs, or other emoluments which are now allowed by law.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL ACT

Notice is hereby given under the provisions of, and pursuant to Section 106 of the Constitution of Alabama of 1901, of intention to apply for the passage of and to submit to the Legislature of the State of Alabama the following bill:

A BILL TO BE ENTITLED AN ACT

To fix the compensation or salary of the County Treasurer in counties of 400,000 inhabitants, or more, according to the last or any subsequent Federal census and to require such officer to pay in to the County Treasury of such county or counties, all fees, commissions, costs, or other emoluments which are now allowed by law.

Be It Enacted by the Legislature of Alabama:

Section 1. That the County Treasurer of all counties of 400,000 inhabitants or more, according to the last or any subsequent Federal census, shall each be entitled to be paid out of the general fund of such county, or counties, the sum of Six Thousand Six Hundred Dollars per annum, to be paid in equal monthly installments.

Section 2. That all fees, commissions, costs or other emoluments now allowed by law to such officer shall be, by such officer, collected and paid into the general fund of such county, or counties, and other moneys belonging to the county, or counties, are now paid.

Section 3. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 4. This Act shall take effect from and after its approval by the Governor.

The Call—April 23-30; May 7-14, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Personally appeared before me, the undersigned authority, Mrs. J. Paul Ward, who first being duly sworn by me, deposes and says on oath

that she is the Editor and Manager for The Weekly Call, a weekly newspaper published in said State and County, and that the notice, a true copy of which is hereto attached, was published in The Weekly Call, once a week for 4 consecutive weeks, commencing on the 23rd day of April, 1949.

MRS. J. PAUL WARD.

Subscribed and sworn to before me on this the 16th day of May, 1949.

MOLLIE DAFFIN,
Notary Public.

Also:

By Messrs. Meeks, Gibson, Kaul, Dumas, Adams (Jefferson), and Beatty:
H. 998. To regulate the trials of Civil Cases in Jefferson County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is given of intention to seek passage at present session of the legislature of an act regulating the trials of civil cases in Jefferson County which act would change the law on that subject in substance as follows: (a) Except as to pending cases and judgments, the Intermediate Civil Court of Birmingham would only have jurisdiction concurrent with the Circuit Court in all civil cases involving over \$100.00 but not over \$1000.00, but would retain jurisdiction as to discovery of assets of judgment debtors. Salary of the judge would be increased. Present law as to appointment of a special judge would apply to all cases of absence, disability or disqualification of the judge and congestion of the docket, but compensation of special judge would not be deductible from salary of regular judge, and the judge of any other inferior court would be eligible as special judge without compensation. No one period of appointment of a special judge could exceed thirty days. Time within which the judge of said Court has control over its judgments and time within which appeals may be taken would be extended to ten days from date of judgment. (b) The fee for docketing each case in all inferior courts would be increased. (c) All inferior courts created in lieu of justices of the peace would have jurisdiction concurrent with the Circuit Court in cases of enforcing liens of mechanics and materialmen where amount involved is not over \$100.00. (d) The Municipal Court of Birmingham would have jurisdiction concurrent with other courts outside of its present jurisdiction over all that part of the County over which the Circuit Court sitting at Birmingham has jurisdiction, and salary of the judge of said Municipal Court would be increased.

Messenger—June 25; July 2-9-16, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 25, July 2, 9, 16, 1949, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 18 day of July, 1949.

MALCOLM L. WHEELER,
Notary Public.

Also:

By Messrs. Gibson, Dumas, Adams (Jefferson), Kaul, Sadler, Meeks and Beatty:

H. 1006. To provide for the education or training of deputies sheriff of the Sheriff in all counties of the State of Alabama with a population of 400,000 or more according to the last Federal Census at the Federal Bureau of Investigation National Police Academy; and for payments of expenses incident thereto.

Also:

By Messrs. Ingalls, Busby, Pinkston and Sightler:

H. 992. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof.

Also:

By Messrs. Givhan and Martin (Dallas):

H. 994. To fix the compensation of the members of the county governing body, exclusive of the judge of probate, in each county in the State having a population of not less than fifty-two thousand and not more than sixty-three thousand, according to the last or any subsequent federal census; and to provide for the payment of the same.

Also:

By Messrs. Busby, Ingalls, Sightler and Pinkston:

H. 1000. To amend Section 97, Title 51, Code of Alabama 1940, which relates to the Inventory and appraisal of property in certain counties.

Also:

By Mr. Busby:

H. 991. To amend Local Act Number 602, of the Regular Session of the Legislature of 1939, approved by the Governor on June 28, 1940, entitled an Act: "To authorize and empower the Board of Revenue of Montgomery County, Alabama, in its discretion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$600.00 per annum to the support of the Montgomery Museum of Fine Arts. Said sum to be paid in equal monthly installments," as amended.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that during the Regular Session of the 1949 Legislature of the State of Alabama, the following bill will be introduced and its passage requested:

A BILL
TO BE ENTITLED
AN ACT

To amend Local Act Number 602, of the Regular Session of the Legislature of 1939, approved by the Governor on June 28, 1940, entitled an Act:

"To authorize and empower the Board of Revenue of Montgomery County, Alabama, in its discretion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$600.00 per annum to the support of the Montgomery Museum of Fine Arts. Said sum to be paid in equal monthly installments," as amended.

Be It Enacted by the Legislature of Alabama:

That Local Act Number 602, of the Regular Session of the Legislature of 1939, approved by the Governor on July 28, 1940, as amended, be amended so that the same shall read as follows:

Section 1. That the Board of Revenue of Montgomery County, Alabama is hereby authorized and empowered in its discretion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$3,000.00 per annum to the support of the Montgomery Museum of Fine Arts. Said amount to be paid in equal monthly installments.

Section 2. That all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

Section 3. This Act shall take effect upon its passage and approval by the Governor. Journal July 5-12-19-26.

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, T. A. Hardy, a Notary Public in and for said State and County, personally appeared Guyton Parks who being duly sworn according to law, deposes and says that he is National Advg. Mgr. for The Advertiser Company, publisher of The Alabama Journal, and that the attached advertisement appeared in said publications on the following dates July 5, 12, 19, and 26, 1949.

GUYTON PARKS.

Sworn to and subscribed before me this 2 day of August 1949.

T. A. HARDY,
Notary Public, Montgomery County, Ala.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 993, 987, 997, 995, 988, 999, 996, 998, 1006, 992, 994, 1000, 991. To the Committee on Local Legislation.

The above bill, H. B. 995, was read a first time at length as required by the Constitution.

BILLS ON THIRD READING

The Bill:

S. 548. To amend Section 154 of Title 8 of the Code of Alabama 1940 pertaining to licenses for use of seines, trawls and other devices for catching salt water shrimp.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 28; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize
Allen	Fite	Howle	Owens
Barrett	Glover	Hughes	Patterson
Boutwell	Gulledge	Kendall	Patton
Bridges	Hardwick	Kimbrell	Perry
Burnside	Harvey	Lamberth	Swift
Cater	Henderson	Langan	Wright
Clayton			

—28

Nays:

—0

The Bill:

S. 604. To amend Section 3, Section 7, and Section 8 of Senate Bill 365 of the local acts of the Legislature of Alabama, 1947, approved October 2, 1947, entitled "An Act to provide for collection of delinquent court costs and fees in Jefferson County."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patton
Allen	Glover	Kendall	Perry
Boutwell	Gulledge	Lamberth	Quarles
Burnside	Hardwick	Lowe	Summerlin
Clayton	Henderson	Mize	Wright
Coleman	Hooton		

—21

Nays:

—0

The Bill:

S. 607. To vacate and abandon certain parks in the Survey of Oakwood Estates in the City of Birmingham, County of Jefferson, State of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patton	
Allen	Glover	Lamberth	Quarles	
Boutwell	Gulledge	Langan	Russell	
Burnside	Harvey	Lowe	Summerlin	
Clayton	Henderson	Owens	Swift	
Coleman	Hooton			—21

Nays: —0

The Bill:

S. 602. Relating to Marengo County: To divide the county into four forest-protection districts, creating the offices of Chief Forest Warden for the county and District Forest Warden for each district, prescribing the duties of such officers, fixing their compensation, and imposing such duties upon the President and members of the Board of Revenue ex officio.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Hooton	Patterson	
Barrett	Coleman	Hughes	Patton	
Boutwell	Gaither	Kimbrell	Perry	
Bridges	Golson	Lamberth	Swift	
Burnside	Hardwick	Lowe	Wright	
Cater	Henderson			—21

Nays: —0

The Bill:

H. 956. To amend Sections 16 and 17 of an Act approved August 25th., 1927, entitled "An Act to vest the Board of Revenue of Barbour County, Alabama, with further and more general powers as to roads and revenues, the handling of revenues and the appointment of a clerk to further assist the Board in such matters and generally; to give the Board of Revenue further right, power and authority in establishing rules and regulations for building of roads and bridges and maintenance and upkeep of the same; to give said Board of Revenue legislative, judicial and executive powers as to the construction, improvement and maintenance of public roads and bridges, vesting them with authority to promulgate rules and regulations concerning the same, giving said Board the right of eminent domain in regard to the same, vesting the said Board with authority to fix a per capita road tax, requiring the publication of such rules and regulations and fixing a penalty for violation thereof; to fix the salary of the clerk of such Board of Revenue, regulate the meetings of said Board of Revenue; to require all officers of the County collecting revenues to pay the

same over to the proper authority and report thereon; require said Board to publish semi-annual statements; to fix the compensation of the members of said board and to repeal all local laws affecting roads and bridges in Barbour County and all laws in conflict herewith."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Kimbrell	Quarles	
Allen	Glover	Lamberth	Russell	
Boutwell	Gulledge	Lowe	Summerlin	
Burnside	Harvey	Owens	Swift	
Clayton	Henderson	Patton	Wright	
Coleman	Hughes			—21

Nays:

—0

The Bill:

H. 955. To amend Section 187 of Title 13, Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Clayton	Howle	Owens	
Allen	Coleman	Hughes	Patterson	
Barrett	Fite	Kendall	Patton	
Boutwell	Gulledge	Kimbrell	Perry	
Bridges	Hardwick	Lamberth	Russell	
Burnside	Henderson	Langan	Summerlin	
Cater	Hooton	Mize	Swift	

—27

Nays:

—0

The Bill:

H. 941. To amend Section 1 of Act 177 approved June 17, 1943, as amended by Section 1 of Act 89, approved July 7, 1947, which fixes the compensation of the Sheriff of Montgomery County and provides for help and assistants and other expenses in the office of the Sheriff, by increasing the allowance for help and assistants.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Bridges	Clayton	Gaither
Barrett	Burnside	Coleman	Golson
Boutwell	Cater	Fite	Gulledge

Hughes	Patton	Russell	Swift	
Kendall	Perry	Summerlin	Wright	
Patterson	Quarles			—21

Nays: —0

The Bill:

H. 940. To provide that when the Solicitor of Montgomery County, Alabama filed with the Governor an application for extradition of a person wanted in Montgomery County to answer a criminal charge and demand has issued, the Board of Revenue of Montgomery County shall advance to the Sheriff a sum sufficient out of the general funds of the county to pay the expense reasonably necessary to effect said extradition: to create a minimum fund out of which such advancement may be made; and to provide for the reimbursement of the Board of Revenue.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Kendall	Patterson	
Barrett	Glover	Lamberth	Patton	
Bridges	Gulledge	Langan	Perry	
Cater	Hardwick	Mize	Russell	
Clayton	Henderson	Owens	Wright	
Coleman	Hughes			—21

Nays: —0

The Bill:

H. 931. To abolish the fine and forfeiture fund of Blount County, Alabama; to provide for the payment of all money now in the fine and forfeiture fund to the general fund of said county; to provide for the payment of all money hereafter collected by court officials for the fine and forfeiture fund to be paid to the general fund, to provide for payment out of the general fund of all claims due or to become due by the fine and forfeiture fund; to provide for the payment out of the general fund of fees of State witnesses summoned before Grand Jury on presentation; to provide for payment of State witnesses summoned before Circuit Court or County Court of said county out of the general fund on presentation; to provide for payment to the general fund of all witness fees collected by court officials for State witnesses either before Grand Jury, Circuit Court or County Court; to provide for the payment by the Clerk of the County Court and Clerk of the Circuit Court to the general fund of all money now in said Clerk's hands for the payment of fees of State witnesses; to provide for payment out of the general fund of said county of all witness fees and clerk's and sheriff's fees now outstanding.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Henderson	Langan	
Allen	Coleman	Howle	Perry	
Boutwell	Fite	Hughes	Russell	
Bridges	Glover	Kimbrell	Summerlin	
Burnside	Gulledge	Lamberth	Wright	
Cater	Harvey			—21

Nays:

—0

The Bill:

S. 598. To amend Title 37, Section 667, of the 1940 Code of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 28; Nays 0.

Yeas:

Messrs.:	Golson	Kendall	Patterson	
Allen	Gulledge	Kimbrell	Patton	
Barrett	Hardwick	Lamberth	Perry	
Boutwell	Harvey	Langan	Quarles	
Bridges	Hooton	Lowe	Summerlin	
Cater	Howle	Mize	Swift	
Coleman	Hughes	Owens	Wright	
Gaither				—28

Nays:

—0

The Bill:

H. 921. To amend Sections 1 and 4 of Act No. 344, of the Session of the Legislature of Alabama of 1947 (General Acts of Alabama of 1947, p. 217-222), approved August 15, 1947, as heretofore amended by Act No. 649, of the Session of the Legislature of Alabama of 1947 (General Acts of Alabama of 1947, p. 501-502), approved October 9, 1947, and Section 6 of said Act 344.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hooton	Patterson	
Allen	Gaither	Hughes	Patton	
Boutwell	Glover	Kendall	Quarles	
Burnside	Golson	Lamberth	Summerlin	
Cater	Gulledge	Langan	Wright	
Coleman	Harvey			—21

Nays:

—0

The Bill:

H. 920. To amend Section 797, Title 37 of the 1940 Code of the State of Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Owens	
Allen	Fite	Kimbrell	Russell	
Boutwell	Gaither	Langan	Summerlin	
Bridges	Glover	Lowe	Swift	
Cater	Golson	Mize	Wright	
Clayton	Hardwick			—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 323. To Fix the Compensation of the Members of the Court of County commissioners, or Governing Body, of Elmore County, Alabama.

Also:

H. 435. To amend Section 2 of the Act entitled "An Act, to re-divide the State into judicial circuits, and to provide for holding court in the several counties.", approved August 16, 1947.

Also:

H. 453. To authorize and create an additional judge of the Ninth Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, to provide for the designation of each of the two offices of Circuit Judge of said circuit by number and to provide for the salary of said judge.

Also:

H. 773. To fix the compensation of the Solicitor of the Morgan County Court in and for Morgan County, Alabama, and to provide the period during which this act shall be effective.

Also:

H. 774. To provide for the payment of the expenses of the County Superintendent of Education of Morgan County, Alabama, incurred by the Superintendent in the performance of his official duties within the County and the expenses incurred by him when his official duties require him to go outside the County and to provide that such expenses shall be fixed, approved and authorized by the County Board of Education of Morgan County, Alabama, and that the total of such accounts shall in no event exceed the sum of \$900.00 per annum.

Also:

H. 775. To fix the compensation of the members and the Chairman of the Board of Revenue and Control of Morgan County, Alabama, and to provide the period during which this act shall be effective.

Also:

H. 776. To amend Section 1 and Section 3 of Act No. 361 of the Legislature of Alabama, which act became a law on September 14, 1939, and which act fixed the compensation or salary to be paid to the Tax Assessor of Morgan County, Alabama, as amended by Act No. 73 of the Legislature of Alabama, approved May 28, 1943.

Also:

H. 811. To fix the term of office of the members of the County Board of Education of Morgan County, Alabama, and to extend the term of V. O. Clark until the General Election in 1952; and to provide that the term of the other members of the board shall remain as they now are.

Also:

H. 837. To amend Section 15 of an Act entitled an Act "To establish in Precinct One in Madison County, Alabama, an Inferior Court in lieu of all Justices of the Peace and Notaries Public with the powers of a Justice of the Peace in the said Precinct, to be known as the Inferior Court of Huntsville, to define the jurisdiction and powers of said Court and the Judge thereof." Approved April 4, 1911, as amended by an Act of the Legislature approved March 2, 1931, and as further amended by an Act of the Legislature approved January 8, 1937. And as further amended by an Act of the Legislature approved June 2, 1943.

Also:

H. 838. To authorize the Board of Registrars of Madison County to employ a full-time clerk; prescribing his duties and qualifications, fixing his compensation and providing for supplies and equipment for his office.

Also:

H. 874. To provide for the appointment of a Clerk of the Montgomery County Board of Revenue; to prescribe his duties; to authorize the Montgomery County Board of Revenue to fix his compensation, the same to be payable out of the general fund of the county; and to provide for his official bond.

Also:

H. 875. Relating to the salaries of the officers of the Juvenile and Court of Domestic Relations—Montgomery County, Alabama, to fix the salary of the Clerk of the Juvenile and Court of Domestic Relations—Montgomery County Alabama, and to fix the maximum amount of the respective salaries to be received by the Probation Officers of said Juvenile and Court of Domestic Relations—Montgomery County, Alabama.

Also:

H. 884. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the election of an incumbent thereof; to prescribe the jurisdiction, powers, authority, qualifications, duties, and compensation of such incumbent, and to render such incumbent liable to all the pains and penalties of other Circuit Judges in the State, and to further provide for a division of authority and duties between judgeships in said Circuit.

Also:

H. 901. Relating to Madison County; To provide for the election, qualification, and tenure of members of the County Board of Education of Madison County, Alabama.

Also:

H. 917. To provide for the relief of John C. Allen out of the general fund of Jefferson County, Alabama.

Also:

H. 924. To amend Section 25 of an Act of the Legislature entitled: "An Act to establish a County Court of Jackson County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations; to provide that said Court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund for said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and in the Probate Court of Jackson County, Alabama, to the Jackson County Court; and to provide for the transfer of certain cases pending in said Jackson County Court to the Equity side of the Circuit Court of Jackson County, Alabama," approved July 10, 1940, and found on pages 368 and 377, inclusive, of the Local Acts of 1939.

Also:

H. 925. To transfer the Juvenile Court of DeKalb County, Alabama from the Probate Court of said county to the DeKalb County Court of said county and to give to said DeKalb County Court exclusive jurisdiction over children and juvenile matters and cases of Desertion and Non-Support; to provide that the Judge of the DeKalb County Court shall be Judge of the Juvenile Court in said county; to allow the clerk \$400.00 per year additional ex-officio fees for his services upon said court, and to allow the Deputy Solicitor of said county \$50.00 per month additional compensation for his attendance and prosecution in said court.

Also:

H. 926. To provide for the relief of Mrs. Mamie Rickles out of the General Fund of Jefferson County, Alabama.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

To the President of the Senate
To the Speaker of the House

We, your Conference Committee, appointed on the disagreement of the two houses on the Senate Amendment to H. J. R. 114, beg leave to report that we are unable to come to agreement.

We respectfully request to be discharged and recommend the appointment of a new and further Committee on Conference.

J. BRUCE HENDERSON,
T. F. BURNSIDE,
NOBLE J. RUSSELL,
Committee on part of the
Senate.

J. M. SNODGRASS,
PAUL COBURN,
J. MONROE MITCHELL,
Committee on part of the
House.

REPORT OF COMMITTEE ON CONFERENCE

On motion of Mr. Coleman the Senate concurred in the foregoing report of the Committee on Conference and in accordance with the Report said Confereers were discharged. Thereupon the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Swift, Lowe and Hardwick.

BILLS ON THIRD READING RESUMED

The Bill:

H. 653. To amend Section 462, Title 37, Code of Alabama 1940, as amended by Act No. 303 General Acts of Alabama, 1943 approved June 28, 1943, relating to publication and recording of ordinances.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the bill, to-wit:

Amend House Bill 653 by adding at the end of Section 1 thereof the following:

Ordinances authorizing or ratifying contracts with public utilities for utility services for a specified term shall not be deemed to be ordinances of a general or permanent nature.

Which was adopted.

Yeas 24; Nays 2.

Yeas:

Messrs.:
Allen
Barrett
Boutwell
Bridges
Cater
Clayton

Gaither
Gulledge
Hardwick
Harvey
Hooton
Howle

Hughes
Lamberth
Langan
Mize
Owens
Patterson

Patton
Perry
Quarles
Russell
Swift
Wright

Nays: Messrs. Coleman and Golson —2

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Fite	Hughes	Patton	
Barrett	Gaither	Kendall	Perry	
Boutwell	Gulledge	Lamberth	Quarles	
Bridges	Hardwick	Lowe	Russell	
Burnside	Harvey	Mize	Swift	
Cater	Henderson	Owens	Wright	
Clayton	Hooton			29

Nays: —0

The Bill:

S. 603. To fix the compensation of the members of the county governing body, exclusive of the judge of probate, in each county in the State having a population of not less than fifty-two thousand and not more than sixty-three thousand, according to the last or any subsequent federal census; and to provide for the payment of the same.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fite	Hooton	Patterson	
Allen	Gaither	Howle	Patton	
Barrett	Golson	Hughes	Perry	
Boutwell	Gulledge	Kendall	Quarles	
Bridges	Hardwick	Lamberth	Russell	
Cater	Harvey	Mize	Summerlin	
Coleman	Henderson	Owens	Wright	
				—27

Nays: —0

The Bill:

S. 491. To further define and extend the powers, authority and duties of the Deputy Circuit Solicitor of the Tenth Judicial Circuit of the State of Alabama who is elected by the people; to provide and impose additional duties for such Deputy Circuit Solicitor, and to provide for additional compensation for such Deputy Circuit Solicitor, and to make provision for the payment of such additional compensation.

as amended, by amendment offered by Messrs. Hardwick and Hughes, which said amendment was adopted in the Morning Ses-

sion and is set out in the Journal of the Senate of the Morning Session, was taken up.

Mr. Clayton offered the following amendment to the bill, as amended, to-wit:

Amend S. B. 491 by adding the words "and third" and "eighth and fifth" immediately after the words "20th and 22nd" in the caption and in sections one and two of the bill.

And on motion of Mr. Hardwick, said amendment was laid on the table.

Mr. Hardwick then moved that the Senate reconsider the vote by which it adopted the amendment offered by Messrs. Hardwick and Hughes in the Morning Session, and the Senate did reconsider said vote.

On motion of Mr. Hardwick said amendment was then laid on the table.

And said bill was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 4.

Yeas:

Messrs.:	Clayton	Henderson	Patterson
Barrett	Fite	Hooton	Patton
Boutwell	Gaither	Howle	Perry
Bridges	Gulledge	Lamberth	Quarles
Burnside	Hardwick	Lowe	Summerlin
Cater	Harvey	Mize	Wright

—23

Nays:

Messrs.:	Glover	Golson	Hughes
Coleman			

—4

The Bill:

S. 442. To create a Division of Publicity and Information; defining its powers and duties; providing for a Director of the Division and his selection, qualifications, compensation, and removal; transferring to the Division the funds, papers, documents, files, materials, equipment, supplies, and other effects of the Division of Records and Reports; abolishing the Division of Records and Reports; and repealing Act No. 253, H. 242, approved June 24, 1943 (General Acts of Alabama, 1943, page 223).

as amended, by the substitute adopted by the Senate on the Twenty-fifth Legislative Day, and is set out in the Journal of the Twenty-fifth Day and amendment adopted on the Twenty-eighth Legislative Day which amendment is set out in the Journal of the Twenty-eighth Day was taken up.

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 13.

Yeas:

Messrs.:	Clayton	Howle	Patton
Allen	Coleman	Hughes	Quarles
Boutwell	Golson	Kendall	Russell
Bridges	Hardwick	Lowe	Swift
Cater	Henderson	Patterson	Wright

—19

Nays:

Messrs.:	Gaither	Hooton	Owens
Barrett	Glover	Lamberth	Perry
Burnside	Gulledge	Mize	Summerlin
Fite	Harvey		

—13

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 521, without his approval.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

August 9, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 521, without my approval.

This bill is identical to House Bill No. 840 which I have today approved and the approval by me of Senate Bill No. 521 would be a duplication.

I have discussed this matter with the author of the bill and it has his full knowledge and approval.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Langan, the Senate sustained the Governor's veto to the bill, S. B. 521.

Yeas 26; Nays 3.

Yeas:

Messrs.:	Clayton	Henderson	Patterson
Allen	Coleman	Hooton	Perry
Barrett	Gaither	Howle	Quarles
Boutwell	Glover	Hughes	Russell
Bridges	Gulledge	Kendall	Summerlin
Burnside	Hardwick	Langan	Swift
Cater	Harvey	Mize	

—26

Nays: Messrs. Fite, Lamberth and Patton

—3

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Patton further consideration of the bill, S. B. 186, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE**Mr. President:**

The House has concurred in and adopted the Senate amendment to the following bill:

H. 653. To amend Section 462, Title 37, Code of Alabama 1940, as amended by Act No. 303 General Acts of Alabama, 1943 approved June 28, 1943, relating to publication and recording of ordinances.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE**Mr. President:**

The House has passed the following Senate bills:

S. 584. To amend Section 612 of Title 62 of the Code of Alabama (1940), which relates to the salaries of members of the Commission Board of the City of Tuscaloosa, Alabama.

Also:

S. 585. To amend Sections 2 and 9 of Act No. 228, H. 707, approved August 3, 1927 (Local Acts of Alabama, 1927, page 130) entitled "An Act To establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix, and define his duties and compensation; to establish methods of procedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualification and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court."

Also:

S. 586. To amend Section 1 of Act No. 73, H. 190, approved March 31, 1936 (Local Acts of Alabama, 1936 Extra Session, page 41) entitled "An Act To fix the compensation or salary to be paid the clerk of the Circuit Court of Tuscaloosa County, Alabama, and to regulate the payment of the same; To provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the clerk of the Circuit Court of Tuscaloosa County, Alabama, and to require said clerk of the Circuit Court to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay same into the county treasury of Tuscaloosa County, provided, however, that all witness fees, judgments and amounts collected by him, in civil and criminal cases, from whatsoever source, except fees, allowances, legal charges, costs and compensation payable to him as such clerk, shall be retained in the hands of said clerk to be paid out and disbursed by him to proper persons or parties in the manner now or hereafter required by law; To provide for the payment of the salary or compensation of said clerk of the Circuit Court of Tuscaloosa County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the conducting and operation of such office made necessary by changing the method and basis of compensation of such clerk of the Circuit Court of Tuscaloosa County, and to prescribe when this act shall go into effect."

Also:

S. 550. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 100,000, and not exceeding 140,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate Amendment to the resolution:

H. J. R. 114. Relating to the adjournment of the two Houses.

In accordance with the request of said Conference Report, the Conferees were discharged. The Speaker of the House thereupon appointed Messrs. Roberts, Haynes (Franklin) and Black as Conferees on the part of the House.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning

Senate Bill No. 103, with suggested executive amendments.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

August 9, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 103, with suggested executive amendments.

Amend said bill by striking therefrom paragraph "C", as follows:

"C. The highway department of the adjoining state must have been specifically authorized by law to enter into contracts or agreements with adjoining states relative to bridges spanning the streams which form its boundary."

Amend said bill further by striking therefrom paragraph designations "D" and "E", and substituting therefor "C" and "D".

I have discussed these suggested amendments with the author of the bill and they have his full knowledge and approval, and if adopted will remove my objection to said bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Patterson, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 103. To amend Section 17 of Title 23 of the Code of Alabama (1940), which relates to agreements with other states as to bridges across rivers or streams forming the boundary of the State of Alabama.

which said amendment is set out in the foregoing Message from the Governor, to-wit:

Yeas 24; Nay 1.

Yeas:

Messrs.:	Fite	Howle	Mize
Barrett	Gaither	Kendall	Owens
Bridges	Gulledge	Kimbrell	Patterson
Burnside	Hardwick	Lamberth	Patton
Cater	Harvey	Langan	Perry
Clayton	Henderson	Lowe	Swift
Coleman			

—24

Nay: Mr. Quarles

—1

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patterson
Barrett	Fite	Kendall	Patton
Boutwell	Gaither	Kimbrell	Perry
Bridges	Gulledge	Lamberth	Quarles
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Mize	Swift
Clayton	Howle	Owens	

—26

Nays:

—0

Which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 193. Relating to taxation: exempting the gross proceeds of sales of certain small stores or vending stands operated by blind persons from the sales tax, and prescribing penalties for violations of this Act.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Coleman	Hardwick	Mize
Allen	Fite	Howle	Patterson
Boutwell	Gaither	Hughes	Patton
Bridges	Glover	Kendall	Swift
Cater	Golson	Kimbrell	Wright
Clayton	Gulledge	Lamberth	

—22

Nays:

—0

The Bill:

S. 121. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one senator from each county; ordering an election upon the proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

was taken up.

Mr. Coleman moved that further consideration of the bill be indefinitely postponed, and on motion of Mr. Fite the motion to postpone was laid on the table.

Yeas 18; Nays 15.

Yeas:

Messrs.:	Gulledge	Kendall	Owens	
Allen	Hardwick	Kimbrell	Patterson	
Burnside	Harvey	Lamberth	Patton	
Fite	Hooton	Langan	Summerlin	
Gaither	Howle	Mize		—18

Nays:

Messrs.:	Cater	Golson	Perry	
Barrett	Clayton	Henderson	Quarles	
Boutwell	Coleman	Hughes	Swift	
Bridges	Glover	Lowe	Wright	—15

On motion of Mr. Fite, further consideration of the bill was postponed until the next Legislative Day without losing its place on the Special Order Calendar.

The Bill:

S. 409. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to locate, construct, improve, repair and maintain public roads, highways and bridges, and approaches thereto in the State of Alabama; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest bearing bonds in an amount not to exceed \$40,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to provide for the distribution of the proceeds of the sale of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday, after the expiration of three months from and after the final adjournment of this regular session of the Legislature.

was taken up.

The Standing Committee on Constitution and Constitutional Revisions and Amendments reported the following substitute for the bill, to-wit:

SUBSTITUTE S. B. 409

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to construct, reconstruct and improve public roads, highways and bridges, and approaches thereto in the State of Alabama; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest bearing

bonds in an amount not to exceed \$40,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to provide for the distribution of the proceeds of the sale of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday, after the expiration of three months from and after the final adjournment of this regular session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of the State of Alabama is hereby proposed and a special election by the qualified electors of the State of Alabama upon the proposed amendment is hereby ordered to be held on the first Tuesday after the expiration of three months after the final adjournment of this session of the Legislature. The proposed amendment shall be known as Amendment NO..... and is as follows:

"Amendment NO..... Section 1. Notwithstanding anything contained in the Constitution of the State of Alabama, or any amendment thereto heretofore adopted, the Governor may, in his discretion, issue negotiable bonds for the purposes and in the manner and subject to the limitations stated in this amendment. The bonds shall be the general obligation of the State of Alabama and the full faith and credit and taxing power of the State are hereby pledged to the punctual payment of the bonds and the interest thereon. The aggregate principal amount of the bonds shall not exceed \$40,000,000 and they shall mature at such time or times, not exceeding twenty-five years from their respective dates, bear interest at such rate or rates, not exceeding three per centum, payable semi-annually, be of such form either coupon or registered, and be of such denominations, and payable at such place or places as the Governor may determine. The bonds may be either non-callable before maturity or made subject to redemption before maturity upon the terms prescribed in the bond. The aggregate amount of principal of and interest on all bonds, issued pursuant to this amendment, falling due in any one calendar year shall not exceed \$4,000,000. The bonds shall not be sold for less than their par value and they shall be sold upon sealed proposals at public sale advertised in such manner as the Governor may deem advisable. The bonds shall be signed in the name of the State of Alabama by the Governor and countersigned by the Director of Finance or some other financial officer of the State designated by the Governor and shall be sealed with the Great Seal of the State and shall be attested by the Secretary of the State. The bonds may be issued from time to time in such amounts as may be necessary to raise funds which the State Highway Department shall, by its certificate or certificates delivered to the Governor, determine to be necessary to finance the

construction, reconstruction or improvements of public roads and bridges, including approaches thereto, and all moneys received in payment for the bonds, other than any accrued interest or premium paid by the purchaser, after paying therefrom all necessary expenses of issuing the bonds, shall be turned over to the State Treasurer and shall be carried by him in a special account, and shall be withdrawn only upon warrant of the Comptroller approved by the Governor. Not more than one-fourth or 25% of the total amount of bonds authorized by this amendment shall be sold during any one fiscal year of the State government. Not more than twelve million five hundred thousand dollars of such moneys shall be withdrawn from such account, from time to time, and paid over to the State Highway Department, to be used in financing the construction, reconstruction or improvement of highways and bridges, including approaches thereto, which are a part of the State Highway System, provided, the Director of the State Highway Department shall first certify to the Governor that such moneys are required to enable the State Highway Department to match contributions to be made by the Federal Government. The remaining funds shall be withdrawn from such account and paid over to the several counties of the State for expenditure for the construction, reconstruction or improvement of county roads or bridges, including approaches thereto, designated by the governing bodies of the respective counties and, where subject to federal aid, each project shall be made a Federal-Aid Project, and all construction or reconstruction shall be by contract with the lowest responsible bidder after having been duly advertised as provided by statutes in such cases: and in the event all participating agencies adjudge the bids excessive, the work may then be done by the State or County with its own labor and equipment upon the election of the awarding authority; all such work shall be supervised, controlled and regulated by the State Highway Department and the Chief of the Bureau of County Aid as in the case of improvements or work done under the Farm to Market Road Act of 1943 and the acts amendatory thereof. The aggregate of all such amounts paid over to any county shall not exceed one sixty-seventh of the sum obtained by deducting from the aggregate principal amount of all bonds issued under this amendment, the aggregate of all amounts paid over to the State Highway Department as hereinbefore provided. To further secure the payment of the bonds and the interest thereon, there is hereby irrevocably pledged to such purpose such amount of money as may be necessary for such purposes out of the residue of the receipts from the Excise Tax levied by the State upon the selling, distributing, storing, or withdrawal from storage of gasoline after taking therefrom the portion of such receipts now required by law to be divided among the counties of the State and the amount now required by law to be applied to the payment of outstanding obligations of the State and its agencies. The pow-

er conferred by this amendment shall be effective and may be exercised without further authority from the Legislature but nothing herein contained shall restrict or limit the power of the Legislature to pass laws not inconsistent with the provisions of this amendment for the purpose of controlling and regulating the exercise of such power and the expenditure of such moneys raised by the issuance of such bonds."

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor, which shall be published in one newspaper in every county in the State once a week for at least four successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided the qualified electors shall vote on such proposed amendment, and on the official ballot provided for such election there shall be printed the following: "Shall the following be adopted as an amendment to the Constitution of Alabama?" Amendment No..... Section 11. Notwithstanding anything contained in the Constitution of the State of Alabama, or any amendment thereto heretofore adopted, the Governor may, in his discretion, issue negotiable bonds for the purposes and in the manner and subject to the limitations stated in this amendment. The bonds shall be the genreal obligation of the State of Alabama and the full faith and the credit and taxing power of the State are hereby pledged to the punctual payment of the bonds and the interest thereon. The aggregate principal amount of the bonds shall not exceed \$40,000,000 and they shall mature at such time or times, not exceeding twenty-five years from their respective dates, bear interest at such rate or rates, not exceeding three per centum, payable semi-annually, be of such form either coupon or registered, and be of such denominations, and payable at such place or places as the Governor may determine. The bonds may be either non-callable before maturity or made subject to redemption before maturity upon the terms prescribed in the bond. The aggregate amount of principal of and interest on all bonds, issued pursuant to this amendment, falling due in any one calendar year shall not exceed \$4,000,000. The bonds shall not be sold for less than their par value and they shall be sold upon sealed proposals at public sale advertised in such manner as the Governor may deem advisable. The bonds shall be signed in the name of the State of Alabama by the Governor and countersigned by the Director of Finance or some other financial officer of the State designated by the Governor and shall be sealed with the Great Seal of the State and shall be attested by the Secretary of the State. The bonds may be issued from time to time in such amounts as may be necessary to raise funds which the State Highway Department shall, by its certificate or certificates delivered to the Governor, determine to be necessary to finance the construction, recon-

struction or improvements of public roads and bridges, including approaches thereto, and all moneys received in payment for the bonds, other than any accrued interest or premium paid by the purchaser, after paying therefrom all necessary expenses of issuing the bonds, shall be turned over to the State Treasurer and shall be carried by him in a special account, and shall be withdrawn only upon warrant of the Comptroller approved by the Governor. Not more than one-fourth or 25% of the total amount of bonds authorized by this amendment shall be sold during any one fiscal year of the State government. Not more than twelve million five hundred thousand dollars of such moneys shall be withdrawn from such account, from time to time, and paid over to the State Highway Department, to be used in financing the construction, reconstruction or improvement of "highways and bridges, including approaches thereto, which are a part of the State Highway System, provided, the Director of the State Highway Department shall first certify to the Governor that such moneys are required to enable the State Highway Department to match contributions to be made by the Federal Government. The remaining funds shall be withdrawn from such account and paid over to the several counties of the State for expenditure for the construction, reconstruction or improvement of county roads or bridges, including approaches thereto, designated by the governing bodies of the respective counties and, where subject to federal aid, each project shall be made a Federal-Aid Project, and all construction or reconstruction shall be by contract with the lowest responsible bidder after having been duly advertised as provided by statutes in such cases: and in the event all participating agencies adjudge the bids excessive, the work may then be done by the State or county with its own labor and equipment upon the election of the awarding authority; all such work shall be supervised, controlled and regulated by the State Highway Department and the Chief of the Bureau of County Aid as in the case of improvements or work done under the Farm to Market Road Act of 1943 and the acts amendatory thereof. The aggregate of all such amounts paid over to any county shall not exceed one sixty-seventh of the sum obtained by deducting from the aggregate principal amount of all bonds issued under this amendment, the aggregate of all amounts paid over to the State Highway Department as hereinbefore provided. To further secure the payment of the bonds and the interest thereon, there is hereby irrevocably pledged to such purpose such amount of money as may be necessary for such purposes out of the residue of the receipts from the Excise Tax levied by the State upon the selling, distributing, storing, or withdrawal from storage of gasoline after taking therefrom the portion of such receipts now required by law to be divided among the counties of the State and the amount now required by law to be applied to the payment of outstanding obligations of the State and its agencies. The power conferred by

this amendment shall be affective and may be exercised without further authority from the Legislature but nothing herein contained shall restrict or limit the power of the Legislature to pass laws not inconsistent with the provisions of this amendment for the purpose of controlling and regulating the exercise of such power and the expenditure of such moneys raised by the issuance of such bonds"

"Yes ()". "No ()".

Section 4. Officers for such election shall be appointed, and the election shall be held in all things in accordance with the law governing general elections. The expense of printing the ballots and holding the election shall be paid as expenses for holding general elections in this State are paid, and there is hereby appropriated out of the available funds of the State Treasury such amounts as may be necessary to defray the same.

Section 5. The votes cast at such election shall be canvassed, and returns thereof made to the Secretary of State and counted in the same manner as in elections for representatives in the Legislature. If it shall appear that a majority of the qualified electors voting at such election on the proposed amendment voted in favor of same, such amendment shall be valid to all intents and purposes as a part of the Constitution of Alabama. The results of such election shall be made known by a proclamation of the Governor.

Mr. Clayton offered the following substitute for the Committee substitute, to-wit:

CLAYTON SUBSTITUTE FOR COMMITTEE SUBSTITUTE

FOR SENATE BILL 409

A BILL TO BE ENTITLED AN ACT

To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to construct, reconstruct and improve public roads, highways and bridges, and approaches thereto in the State of Alabama; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest bearing bonds in an amount not to exceed \$40,000,000 in addition to any bonds heretofore authorized; providing for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof by the levying of a one cent per gallon gasoline tax; providing for the distribution of the proceeds of the sale of such bonds; and ordering an election upon the proposed amendment to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

Amendment

"Notwithstanding anything contained in the Constitution of the State of Alabama, or any amendment thereto heretofore adopted, the Governor may, in his discretion, issue negotiable bonds for the purposes and in the manner and subject to the limitations stated in this amendment. The bonds shall be the general obligation of the State of Alabama and the full faith and credit and taxing power of the State are hereby pledged to the punctual payment of the bonds and the interest thereon. The aggregate principal amount of the bonds shall not exceed \$40,000,000 and they shall mature at such time or times, not exceeding twenty-five years from their respective dates, bear interest at such rate or rates, not exceeding three per centum, payable semi-annually, be of such form either coupon or registered, and be of such denominations, and payable at such place or places as the Governor may determine. The bonds may be either non-callable before maturity or made subject to redemption before maturity upon the terms prescribed in the bond. The aggregate amount of principal of and interest on all bonds, issued pursuant to this amendment, falling due in any one calendar year shall not exceed \$4,000,000. The bonds shall not be sold for less than their par value and they shall be sold upon sealed proposals at public sale advertised in such manner as the Governor may deem advisable. The bonds shall be signed in the name of the State of Alabama by the Governor and countersigned by the Director of Finance or some other financial officer of the State designated by the Governor and shall be sealed with the Great Seal of the State and shall be attested by the Secretary of the State. The bonds may be issued from time to time in such amounts as may be necessary to raise funds which the State Highway Department shall, by its certificate or certificates delivered to the Governor, determine to be necessary to finance the construction, reconstruction or improvements of public roads and bridges, including approaches thereto, and all moneys received in payment for the bonds, other than any accrued interest or premium paid by the purchaser, after paying therefrom all necessary expenses of issuing the bonds, shall be turned over to the State Treasurer and shall be carried by him in a special account, and shall be withdrawn only upon warrants of the Comptroller approved by the Governor. Not more than one-fourth or 25% of the total amount of bonds authorized by this amendment shall be sold during any one fiscal year of the State government. The funds shall be withdrawn from such account and paid over to the several counties of the State for expenditure for the construction, reconstruction or im-

provement of county roads or bridges, including approaches thereto, designated by the governing bodies of the respective counties and, where subject to federal aid, each project shall be made a Federal-Aid Project, and all construction or reconstruction shall be by contract with the lowest responsible bidder after having been duly advertised as provided by statutes in such cases; and in the event all participating agencies adjudge the bids excessive, the work may then be done by the State or County with its own labor and equipment upon the election of the awarding authority; all such work shall be supervised, controlled and regulated by the State Highway Department and the Chief of the Bureau of County Aid as in the case of improvements or work done under the Farm to Market Road Act of 1943 and the acts amendatory thereof. The aggregate of all such amounts paid over to any county shall not exceed one sixty-seventh of the aggregate principal amount of all bonds issued under this amendment. Conditional upon the issuance of the bonds herein authorized, to create a sinking fund for the prompt and faithful payment of the principal and interest on the bonds authorized herein, there is hereby levied an excise tax, in addition to all other taxes heretofore authorized, of one cent per gallon upon gasoline or any substitute therefor used to propel automotive vehicles, which tax shall be collected and enforced in the same manner other gasoline taxes are collected and enforced; provided, however, that when the tax herein levied has produced sufficient revenue to pay the principal amount of the bonds herein authorized with interest thereon, the tax shall not longer be collected or enforced. To secure further the payment of the bonds and the interest thereon, there is hereby irrevocably pledged to such purpose such amount of money as may be necessary for such purposes out of the residue of the receipts from the Excise Tax heretofore levied by the State upon the selling, distributing, storing, or withdrawal from storage of gasoline after taking therefrom the portion of such receipts now required by law to be divided among the counties of the State and the amount now required by law to be applied to the payment of outstanding obligations of the State and its agencies. The power conferred by this amendment shall be effective and may be exercised without further authority from the Legislature but nothing herein contained shall restrict or limit the power of the Legislature to pass laws not inconsistent with the provisions of this amendment for the purpose of controlling and regulating the exercise of such power and the expenditure of such moneys raised by the issuance of such bonds."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama,

as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Mr. Patton moved that further consideration of the bill, and pending substitutes, be indefinitely postponed.

Mr. Burnside moved to lay on the table the motion to postpone.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 193. Relating to taxation: exempting the gross proceeds of sales of certain small stores or vending stands operated by blind persons from the sales tax, and prescribing penalties for violations of this Act.

Also:

H. 653. To amend Section 462, Title 37, Code of Alabama 1940, as amended by Act No. 303 General Acts of Alabama, 1943 approved June 28, 1943, relating to publication and recording of ordinances.

Also:

H. 920. To amend Section 797, Title 37 of the 1940 Code of the State of Alabama.

Also:

H. 921. To amend Sections 1 and 4 of Act No. 344, of the Session of the Legislature of Alabama of 1947 (General Acts of Alabama of 1947, p. 217-222), approved August 15, 1947, as heretofore amended by Act No. 649, of the Session of the Legislature of Alabama of 1947 (General Acts of Alabama of 1947, p. 501-502), approved October 9, 1947, and Section 6 of said Act 344.

Also:

H. 931. To abolish the fine and forfeiture fund of Blount County, Alabama; to provide for the payment of all money now in the fine and forfeiture fund to the general fund of said county; to provide for the payment of all money hereafter collected by court officials for the fine and forfeiture fund to be paid to the general fund, to provide for payment out of the general fund of all claims due or to become due by the fine and forfeiture fund; to provide for the payment out of the general fund of fees of State witnesses summoned before Grand Jury on presentation; to provide for payment of State witnesses summoned before Circuit Court or County Court of said county out of the general fund on presentation; to provide for payment to the general fund of all witness fees collected by court officials for State witnesses either before Grand Jury, Circuit Court or County Court; to provide for the payment by the Clerk of the

County Court and Clerk of the Circuit Court to the general fund of all money now in said Clerk's hands for the payment of fees of State witnesses; to provide for payment out of the general fund of said county of all witness fees and clerk's and sheriff's fees now outstanding.

Also:

H. 940. To provide that when the Solicitor of Montgomery County, Alabama filed with the Governor an application for extradition of a person wanted in Montgomery County to answer a criminal charge and demand has issued, the Board of Revenue of Montgomery County shall advance to the Sheriff a sum sufficient out of the general funds of the county to pay the expense reasonably necessary to effect said extradition: to create a minimum fund out of which such advancement may be made; and to provide for the reimbursement of the Board of Revenue.

Also:

H. 941. To amend Section 1 of Act 177 approved June 17, 1943, as amended by Section 1 of Act 89, approved July 7, 1947, which fixes the compensation of the Sheriff of Montgomery County and provides for help and assistants and other expenses in the office of the Sheriff, by increasing the allowance for help and assistants.

Also:

H. 955. To amend Section 187 of Title 13, Code of Alabama of 1940.

Also:

H. 956. To amend Sections 16 and 17 of an Act approved August 25th., 1927, entitled "An Act to vest the Board of Revenue of Barbour County, Alabama, with further and more general powers as to roads and revenues, the handling of revenues and the appointment of a clerk to further assist the Board in such matters and generally; to give the Board of Revenue further right, power and authority in establishing rules and regulations for building of roads and bridges and maintenance and upkeep of the same; to give said Board of Revenue legislative, judicial and executive powers as to the construction, improvement and maintenance of public roads and bridges, vesting them with authority to promulgate rules and regulations concerning the same, giving said Board the right of eminent domain in regard to the same, vesting the said Board with authority to fix a per capita road tax, requiring the publication of such rules and regulations and fixing a penalty for violation thereof; to fix the salary of the clerk of such Board of Revenue, regulate the meetings of said Board of Revenue; to require all officers of the County collecting revenues to pay the same over to the proper authority and report thereon; require said Board to publish semi-annual statements; to fix the compensation of the members of said board and to repeal all local laws affecting roads and bridges in Barbour County and all laws in conflict herewith."

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 550. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 100,000, and not exceeding 140,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

Also:

S. 584. To amend Section 612 of Title 62 of the Code of Alabama (1940), which relates to the salaries of members of the Commission Board of the City of Tuscaloosa, Alabama.

Also:

S. 585. To amend Sections 2 and 9 of Act No. 228, H. 707, approved August 3, 1927 (Local Acts of Alabama, 1927, page 130) entitled "An Act To establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to provide for a Clerk of said Court and prescribe, fix, and define his duties and compensation; to establish methods of procedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualification and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court."

Also:

S. 586. To amend Section 1 of Act No. 73, H. 190, approved March 31, 1936 (Local Acts of Alabama, 1936 Extra Session, page 41) entitled "An Act To fix the compensation or salary to be

paid the Clerk of the Circuit Court of Tuscaloosa County, Alabama, and to regulate the payment of the same: To provide for compensation of clerks, deputies, clerical assistants and other expenses in said office of the Clerk of the Circuit Court of Tuscaloosa County, Alabama, and to require said Clerk of the Circuit Court to collect all the fees, compensation and allowances heretofore or hereafter authorized to be collected by him, and to pay same into the county treasury of Tuscaloosa County, provided, however, that all witness fees, judgments and amounts collected by him, in civil and criminal cases, from whatsoever source, except fees, allowances, legal charges, costs and compensation payable to him as such clerk, shall be retained in the hands of said clerk to be paid out and disbursed by him to proper persons or parties in the manner now or hereafter required by law; To provide for the payment of the salary or compensation of said Clerk of the Circuit Court of Tuscaloosa County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the conducting and operation of such office made necessary by changing the method and basis of compensation of such Clerk of the Circuit Court of Tuscaloosa County, and to prescribe when this act shall go into effect."

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint resolutions with the original Senate Joint Resolutions and finds same correctly enrolled, to-wit:

S. J. R. 64. Relative to: The Senate of Alabama, the House concurring, that we do memorialize Congress to establish "West Point of the Air", at Maxwell Field, in Montgomery, Alabama.

Also:

S. J. R. 65. Relative to: The Legislative investigation of the condition of the State property at Fort Morgan.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 103. To amend Section 17 of Title 23 of the Code of Alabama (1940), which relates to agreements with other states as to bridges across rivers or streams forming the boundary of the State of Alabama.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 65; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 66, Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

APPOINTMENT OF LEGISLATIVE COMMITTEE TO
INVESTIGATE CONDITIONS AT FORT MORGAN

The President and Presiding Officer of the Senate appointed as committee on part of the Senate for a Legislative investigation of the condition of the State's property at Fort Morgan, under provisions of S. J. R. 65, Messrs. Gulledge, Owens and Bridges.

At 5:15 P. M., Mr. Lowe moved that the Senate adjourn until Thursday, August 11, 1949 at 9 o'clock A. M., which motion was lost.

Yeas 13; Nays 20.

Yeas:

Messrs.:	Coleman	Hughes	Perry	
Bridges	Glover	Lowe	Swift	
Cater	Golson	Owens	Wright	
Clayton	Henderson			—13

Nays:

Messrs.:	Gaither	Howle	Mize	
Allen	Gulledge	Kendall	Patterson	
Barrett	Hardwick	Kimbrell	Patton	
Boutwell	Harvey	Lamberth	Russell	
Burnside	Hooton	Langan	Summerlin	
Fite				—20

RESOLUTION

Messrs. Patton and Hardwick offered the following Senate Resolution, to-wit:

S. R. 66. Be it resolved that when the Senate adjourns today it adjourn to meet again at 12:01 A. M., Thursday August 11, 1949.

Which was read and referred to the Standing Committee on Rules.

Mr. Lowe moved that the Senate adjourn until 9:00 A. M., Thursday, August 11, 1949, which motion was lost.

Yeas 12; Nays 19.

Yeas:

Messrs.:	Clayton	Hughes	Quarles	
Boutwell	Coleman	Lowe	Swift	
Bridges	Golson	Perry	Wright	
Cater				—12

Nays:

Messrs.:	Gulledge	Kendall	Owens	
Allen	Hardwick	Kimbrell	Patterson	
Barrett	Harvey	Lamberth	Patton	
Burnside	Hooton	Langan	Russell	
Fite	Howle	Mize	Summerlin	—19

ADJOURNMENT

At 5:50 P. M. on motion of Mr. Hooton, the Senate adjourned until 12:01 A. M. Thursday, August 11, 1949.

Yeas 18; Nays 14.

Yeas:

Messrs.:	Gaither	Howle	Owens	
Allen	Gulledge	Kendall	Patterson	
Barrett	Hardwick	Kimbrell	Russell	
Burnside	Harvey	Lamberth	Summerlin	
Fite	Hooton	Langan		—18

Nays:

Messrs.:	Clayton	Lowe	Quarles	
Barrett	Coleman	Mize	Swift	
Boutwell	Golson	Patton	Wright	
Cater	Hughes	Perry		—14

THIRTIETH LEGISLATIVE DAY

THURSDAY, AUGUST 11, 1949

The Senate met pursuant to adjournment, Lieutenant-Governor Inzer presiding.

PRAYER

The Session was opened with prayer by President Pro-tem, Mr. Henderson.

ROLL CALL

Present:

Messrs.:	Fite	Hooton	Owens
Allen	Gaither	Howle	Patterson
Boutwell	Glover	Kendall	Patton
Bridges	Golson	Kimbrell	Perry
Burnside	Gulledge	Lamberth	Russell
Cater	Hardwick	Langan	Summerlin
Clayton	Harvey	Lowe	Swift
Coleman	Henderson	Mize	Wright

—31

JOURNAL

Mr. Hardwick moved that the reading of the Journal of yesterday be dispensed with, and on objection of Mr. Coleman the Secretary began the reading at length of the Journal of yesterday.

At 12:25 A. M., Mr. Patton moved that further reading at length of the Journal be dispensed with, on objection of Mr. Swift, the Secretary continued with the reading at length of the Journal of yesterday.

At 1:10 A. M., Mr. Hooton moved that further reading at length of the Journal be dispensed with, on objection of Mr. Coleman, the Secretary continued with the reading at length of the Journal of yesterday.

At 1:15 A. M., Mr. Swift moved that further reading at length of the Journal be dispensed with, on objection of Mr. Clayton, the Secretary continued with the reading at length of the Journal of yesterday.

At 2:35 A. M., the reading at length of the Journal of yesterday was completed by the Secretary and same approved by the Senate.

REPORTS OF COMMITTEES

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a

favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hardwick:

S. B. 621. To amend Section 124, Title 51, Code of Alabama 1940, providing for salaries of the Legal Counsel and the Assistant Counsel of the Department of Revenue.

By Mr. Haynes of Franklin:

H. B. 55. To make it a misdemeanor for any able-bodied male citizen to fail or refuse to aid and assist a firewarden.

By Mr. Miller:

H. B. 466. To amend Section 314 of Title 55 of the Code of Alabama (1940), which relates to lay-offs under the Merit System Act.

By Mr. Shelton:

H. B. 491. To provide for an additional fee to be taxed as a part of the costs in any proceeding or prosecution under any of the prohibition laws of the state in which the defendant is convicted or taxed with the costs; and providing for the disposition of the fee.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Stone and Tucker (without recommendation):

H. B. 565. To amend Section 226 of Title 17 of the Code of Alabama of 1940, as amended.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Barnett and McIlwain:

H. B. 572. To amend Section 265 of Title 7 of the Code of Alabama (1940), which relates to demanding or waiving a trial by jury.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Johnston, Sullivan and Stone (without recommendation):

H. B. 871. To amend Section 169 of Title 10 of the Code of Alabama of 1940.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Shelton:

H. B. 426. To amend Section 96 of Title 11 of the Code of Alabama (1940), which relates to fees of justices of the peace in criminal cases.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Haynes of Franklin (without recommendation):

H. B. 52. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Miller, Sellers and White (Covington) (without recommendation with substitute):

H. B. 380. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cater (by request):

S. B. 601. To amend Section 97, Title 51, Code of Alabama 1940, which relates to the Inventory and appraisal of property in certain counties.

By Mr. Patton:

S. B. 612. Requiring the registration of and imposing a privilege license tax upon motor vehicle manufacturers, factory branches, factory representatives, and dealers; providing for the issuance, denial, suspension, and revocation of such licenses; and prescribing penalties for violating the provisions of this Act.

By Messrs. Mize and Swift:

S. B. 611. To amend Section 1 of Act No. 607, S. 202, approved October 9, 1947 (General Acts of Alabama, 1947, page 456) entitled "An Act To make an annual appropriation to provide a retirement benefit to any State employee who had attained age 60 on or before October 1, 1945; who declined membership in the Alabama Employees' Retirement System in the manner prescribed in Section 3 of Act 515, approved July 9, 1945; and who retires with a minimum of 15 years of service as a state employee; and to provide a supplement to the retirement benefit of any state employee who had attained age 60 on October 1, 1945, and who is or will be retired under the provisions of Act 515, approved July 9, 1945 with a minimum of 15 years of service as a state employee, and who is not entitled under the provisions of said Act 515 to receive a retirement benefit in excess of \$60.00 per month; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund appropriated by this act."

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cater (by request) (with substitute):

S. B. 600. To amend Section 94, Title 51, Code of Alabama 1940, as amended, which relates to the term of service and compensation for members of the county board of equalization, and to provide for a chairman.

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 67. Resolved by the Senate that the following bills will be special, paramount and continuing order for the Thirty-first Legislative Day, superseding all other special orders.

1. H. B. No. 52.
2. H. B. No. 719.
3. H. B. No. 380.

And on motion of Mr. Swift the Resolution was adopted.

MOTION TO AMEND SENATE RULE 1

On motion of Mr. Allen, further consideration of the motion offered by Messrs. Allen and Kendall to amend Senate Rule 1, was indefinitely postponed.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Bill:

S. 409. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to locate, construct, improve, repair and maintain public roads, highways and bridges, and approaches thereto in the State of Alabama; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest bearing bonds in an amount not to exceed \$40,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to provide for the distribution of the proceeds of the sale of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday, after the expiration of three months from and after the final adjournment of this regular session of the Legislature.

and pending substitutes offered on the last legislative day, and which substitutes are set out in the Journal of the Senate for the Twenty-ninth Legislative Day, was taken up.

The question recurred on the motion of Mr. Patton to indefinitely postpone further consideration of the bill, and pending substitutes, and the motion of Mr. Burnside to lay on the table the motion to indefinitely postpone.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

By Mr. Russell:

S. 499. To amend sections 1 and 3 of an act to fix the compensation or salary to be paid the Tax Collector of Morgan County, Alabama, being Act No. 464 of the regular session of the Legislature of Alabama of 1939, approved September 15, 1939, as amended by Act No. 71 of the Legislature of Alabama, approved May 28, 1943.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Russell, the Senate concurred in and adopted the following House amendment to the bill, S. B. 499, the title of which is set out in the foregoing Message from the House, to-wit:

Amend Senate Bill 499 by striking from Section 2 thereof the words and figures "Thirty-eight Hundred (\$3,800.00)" and insert in lieu thereof the words and figures "Four Thousand One Hundred (\$4,100.00)".

Also amend said bill by striking from the last sentence of Section 2 thereof the figures "3,800.00" and insert in lieu thereof the figures "4,100.00".

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Lamberth	Patton
Allen	Hardwick	Langan	Russell
Boutwell	Harvey	Lowe	Summerlin
Cater	Henderson	Mize	Swift
Clayton	Hooton	Patterson	Wright
Coleman	Kendall		

—21

Nays:

—0

RECESS

At 6:00 A. M., on motion of Mr. Hardwick, the Senate took a recess until 10:00 A. M.

The Senate re-assembled at 10:00 A. M., Lieutenant-Governor Inzer presiding.

ROLL CALL

Present:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright
Coleman	Hooton	Owens	

—34

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 73. Relative to the House of Representatives of the United States being memorialized by the Legislature of Alabama to order its Judiciary Committee and civil rights subcommittee to discontinue any investigation of or plans to investigate the recent acts of violence by hooded men in Alabama.

Also:

H. J. R. 116. Relative to the Board of Commissioners of the State Bar selecting Mobile as the place for the annual meeting of the Alabama State Bar and designating August 12 and 13, 1949 as the time and the Mobile Delegation, on behalf of the Mobile Bar Association, extending invitation to members of the Legislature of Alabama to attend meeting.

Also:

H. J. R. 122. Relative to the Legislature of Alabama extending appreciation to Coach Frank W. Thomas and collective hopes for his speedy recovery.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Boutwell:

S. B. 627. To provide for and to authorize in counties having a population of 400,000 or more according to the last or any subsequent federal census the business of clearing roots and other foreign obstructions from sewer lines in cities and municipalities by means of electric cutting machines, provided entrance is made at established clean out caps or plugs only, and without otherwise affecting the established sewer lines or fixtures.

Committee on Local Legislation.

By Mr. Owens:

S. B. 628. To make a finding of fact concerning the subject of this Act and to declare the necessity for the adoption of this Act; to provide that it shall be a misdemeanor for a member of the white race to move into, for the purpose of establishing a permanent residence, or having moved into, to continue to reside in an area in the State of Alabama generally and historically recognized at the time as an area for occupancy by members of the colored race; to provide that it shall be a misdemeanor for a member of the colored race to move into, for the purpose of establishing a permanent residence, or, having moved into, to continue to reside in an area in the State of Alabama generally and historically

recognized at the time as an area for occupancy by members of the white race; to define the words "permanent residence" as used in this Act; to define separate offenses under this Act; to provide a penalty for violation of this Act.

Committee on Municipalities and Municipal Organizations.

By Mr. Boutwell:

S. B. 629. To provide for the combination of the Offices of License Inspector or Department of Revenue or any like office or department and the Office of Commissioner of Licenses or any like office or department in any county having a population of 400,000 or more according to the last or any succeeding Federal Census whenever the Offices of License Inspector or Director of Revenue or Commissioner of Licenses in any such county shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law and to provide for the salary of such Director and to provide for the employees of such Department of Revenue.

Committee on Local Legislation.

REPORTS OF COMMITTEES

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mize (with notice and proof):

S. 613. Relating to the Board of Education of Tuscaloosa County; authorizing the board to expend public school funds to provide office supplies and equipment for use in the office of the Superintendent of Education.

By Mr. Henderson (with notice and proof):

S. 614. To provide for and create the County Board of Administration for Wilcox County; to prescribe and limit the duties, powers, jurisdiction, authority, and privileges of such County Board of Administration and of the members thereof; and the manner of the exercise of such duties, powers, jurisdiction, authority and privileges; to provide for the members of the County Board of Administration, their qualifications, the time and manner of their election, their terms of office and their compensation; to abolish the Court of County Commissioners of Wilcox County; to confer on the County Board of Administration and the members thereof all the duties, powers, jurisdiction, authority, and privileges now exercised by the Court of County Commissioners; to define the jurisdiction, powers, and duties of the board with respect to county employees, roads and bridges, contracts, the

acquisition and sale of property, and fiscal matters and debts; and conditioning the operation of the Act upon a favorable vote of the electorate of Wilcox County at a referendum.

By Mr. Cater:

S. 615. To authorize the governing body of any municipality in the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

By Mr. Cater:

S. 616. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

By Mr. Cater:

S. 617. Relating to all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

By Mr. Cater:

S. 618. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

By Mr. Cater:

S. 619. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or com-

mission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

By Mr. Fite:

S. 620. To amend Act No. 200, which passed the Senate on June 28, 1949 and passed the House on July 6, 1949, said Act being entitled "An Act to propose an amendment to the Constitution of Alabama 1901, to authorize the governing body of Marion County, Alabama, to issue bonds, warrants, or other evidences of indebtedness and to pledge in payment of the principal and interest due upon any such bonds, warrants, or other evidences of indebtedness, only the proceeds derived, or to be derived, from any special county privilege, license or excise taxes heretofore or hereafter levied and collected within Marion County, Alabama, for the sole and exclusive purpose of constructing, equipping, operating, maintaining or improving public hospitals or related hospital or health facilities, including clinics, nursing homes, public health centers and laboratory facilities, or for such other public purposes of any kind and description as in the judgment of the governing body of the county of Marion is meet and proper, and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature."

The above Bill was read a second time at length as required by the Constitution.

By Mr. Langan:

S. 623. To apply only in counties having a population of at least one hundred forty thousand (140,000) and not more than four hundred thousand (400,000) inhabitants according to the last or any subsequent federal census; to provide that persons who served in the armed forces of the United States between January 1, 1917 and November 11, 1918 or between September 16, 1940 and December 8, 1945 and who received an honorable discharge therefrom, may present their certificates of discharge to the board of registrars as supporting evidence of their qualifications for registration, which certificates shall be sufficient and supporting witnesses shall not be necessary.

By Mr. Langan (with notice and proof):

S. 624. To authorize and require the City of Mobile to hereafter pay and reimburse the County of Mobile a portion of the cost of operating, maintaining and keeping in repair the Mobile

County Hospital for the diagnosis and temporary care and treatment of mentally diseased persons; to prescribe how Mobile County shall keep an account of such expenditures and present its claim therefor to the City of Mobile and the time of payment thereof by the City of Mobile; to prescribe a rule of evidence in any suit or suits hereafter brought by the County of Mobile against the City of Mobile to recover of the City of Mobile its proportionate part of any such expenditures; to provide how admissions to said hospital shall be made, and to repeal all laws in conflict herewith.

By Mr. Lowe:

S. 626. To propose an amendment to the Constitution relating to the City of Huntsville and the County of Madison.

The above Bill was read a second time, at length, as required by the Constitution.

By Mr. Black (with notice and proof):

H. 934. Relating to Walker County, Alabama; amending Act No. 232, S. B. 187, approved July 31, 1935 (Local Acts of Alabama, 1935, p. 131) entitled: "An Act to abolish the County Commission of Walker County, and to establish in lieu thereof a Board of Revenue; to provide when said County Commission shall be abolished and said Board of Revenue established; to provide the number of members of said Board of Revenue; to prescribe their terms of office, authority, powers, duties and fix their compensation; to provide for the selection and election of said members, and to repeal all laws and parts of laws in conflict herewith."

By Messrs. Black and McDanal (with notice and proof):

H. 935. To require the coroner of Walker County, Alabama, to investigate all cases of death in instances where persons die in said county without having been attended by a physician and to file certificates of death with the health officer of Walker County, Alabama, and to prescribe the compensation of the coroner and the manner of its payment.

By Mr. Black (with notice and proof):

H. 939. To amend Section 5 of an Act entitled "An Act to abolish the County Commission and to establish in lieu thereof a Board of Revenue; to provide when said County Commission shall be abolished and said Board of Revenue established; to provide the number of members of said Board of Revenue; to prescribe their terms of office, authority, powers, duties and to fix their compensation; to provide for the selection and election of said members, and to repeal all laws and parts of laws in conflict herewith." The Act to be amended having been approved July 31, 1935, said Act to be amended shall remain as it is now except that part thereof dividing Walker County into districts by carving the different districts of Walker County out of the different beats of Walker County.

By Messrs. Black and McDanal (with notice and proof):

H. 936. To fix the term of office of the Tax Assessor of Walker County, Alabama, and to provide for his election.

By Messrs. Ingalls, Busby, et al:

H. 992. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof.

By Mr. Busby (with notice and proof):

H. 991. To amend Local Act Number 602, of the Regular Session of the Legislature of 1939, approved by the Governor on June 28, 1940, entitled an Act: "To authorize and empower the Board of Revenue of Montgomery County, Alabama, in its discretion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$600.00 per annum to the support of the Montgomery Museum of Fine Arts. Said sum to be paid in equal monthly installments," as amended.

By Mr. Ganey (with notice and proof):

H. 993. To authorize and empower the Sheriff of Talladega County, Alabama to appoint, in addition to the Deputy or Deputies as now provided by law, a Deputy Sheriff, his term of office, prescribe his duties, fix his compensation, and to authorize and require the Court of County Commissioners of Talladega County, Alabama to pay the same said Deputy out of the General Funds of said County, and to require said Deputy to give bond in the sum of One Thousand Dollars payable to said Sheriff with conditions as required by law.

By Messrs. Vann and Moring:

H. 995. To propose an amendment to the Constitution of Alabama providing for levying and collecting in the school tax district of the City of Huntsville in Madison County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes, and providing for the issuance of bonds to be retired with the funds arising from such tax; ordering an election upon the proposed amendment to be held on the date of the first special or general election held following the expiration of three months after the final adjournment of the present session of the Legislature.

The above Bill was read a second time, at length, as required by the Constitution.

By Messrs. McDanal and Black (with notice and proof):

H. 937. To fix the term of office of the Tax Collector of Walker County, Alabama, and to provide for his election.

By Mr. Black (with notice and proof):

H. 946. To repeal Act No. 488, S. B. 296, approved July 6, 1945, entitled "An Act to set a due date for the Fine and Forfeiture Fund certificates for Walker County to pay at least \$5,000.00 yearly out of any funds that they have to redeem said Fine and Forfeiture Fund," (Local Acts of Alabama, 1945, p. 190).

By Mr. Black (with notice and proof):

H. 947. To repeal Act No. 579, H. B. 1010, approved October 9, 1947, entitled "An Act to abolish the fine and forfeiture fund of Walker County; to provide for the transfer of the fine and forfeiture funds into the general fund of the county and to provide for registration and payment of officers script now outstanding or issued in the future," (Local Acts of Alabama, 1947, p. 394).

By Mr. Broadwater:

H. 987. To amend Title 37, Section 667, of the 1940 Code of Alabama.

By Messrs. Mathison and Knight (with notice and proof):

H. 988. To provide for additional duties of the Circuit Solicitor for the Judicial Circuit embracing Henry County, Alabama, and to provide for additional compensation and expenses therefor; to provide that said Circuit Solicitor make personal investigations of all homicides, and all other capital felonies committed in said county; to provide that it shall be the duty of said Circuit Solicitor to attend all preliminary hearings in capital cases in said county; to provide that as additional compensation and expenses for such additional duties, the said Circuit Solicitor shall be paid the sum of \$240.00 per annum in equal monthly installments from the general fund of Henry County, Alabama, by warrants drawn by the Judge of Probate of said county; to further provide that this act is to become effective on the first day of the month following its passage and becoming law.

By Messrs. Meeks, Gibson, et al (with notice and proof):

H. 996. To fix the compensation or salary of the County Treasurer in counties of 400,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require such officer to pay in to the County Treasury of such county or Counties, all fees, commissions, costs, or other emoluments which are now allowed by law.

By Messrs. Meeks, Beatty, et al (with notice and proof):

H. 997. To fix and increase the salary of the Judge of the

Juvenile and Domestic Relations Court of Jefferson County, Alabama, and provide for the payment thereof.

By Messrs. Dumas, Beatty, et al (with notice and proof):

H. 998. To regulate the trials of Civil Cases in Jefferson County.

By Messrs. McDanal and Black (with notice and proof):

H. 999. For the relief of Etta Burkett, widow of D. Frank Burkett, of Jasper, Alabama, as compensation for the death of D. Frank Burkett, whose death resulted from injuries received at the hands of prisoners who escaped from the Walker County Jail on the afternoon of June 28, 1948, on which occasion D. Frank Burkett was engaged in the performance of his duties as warden of said Walker County Jail; to authorize and direct the governing body of Walker County to pay Etta Burkett the sum of \$2,500.00 as compensation for the death of D. Frank Burkett.

By Messrs. Busby, Ingalls, et al

H. 1000. To amend Section 97, Title 51, Code of Alabama 1940, which relates to the Inventory and appraisal of property in certain counties.

By Messrs. Gibson, Dumas, et al:

H. 1006. To provide for the education or training of deputies sheriff of the Sheriff in all counties of the State of Alabama with a population of 400,000 or more according to the last Federal Census at the Federal Bureau of Investigation National Police Academy; and for payments of expenses incident thereto.

Mr. Burnside, Vice-Chairman of the Standing Committee on Temperance reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gulledge:

S. 622. To authorize the establishment and operation of wineries for the manufacture of wines from fruits and berries grown within the State.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Wallace and Thomas:

H. J. R. 124. Be it resolved by the House, the Senate Concurring that House Bill No. 956 be named the Clayton, Wallace, Thomas Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Patterson, the rules were suspended and the resolution, H. J. R. 124, set out in the foregoing Message from the House, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Snodgrass:

H. J. R. 125. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two Houses adjourn today, they adjourn to meet on Tuesday, August 16, 1949.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hughes, the resolution, H. J. R. 125, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Mitchell and O'Neal:

H. J. R. 126. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that House Bill 453, which has passed both Houses, be known as the Mitchell, O'Neal, Owens and Burnside bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Patterson, the resolution, H. J. R. 126, set out in the foregoing Message from the House, was adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to further consideration of the bill:

S. 409. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to locate, construct, improve, repair and maintain public roads, highways and bridges, and approaches thereto in the State of Alabama; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest bearing bonds in an amount not to exceed \$40,000,000 in

addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to provide for the distribution of the proceeds of the sale of such bonds; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday, after the expiration of three months from and after the final adjournment of this regular session of the Legislature.

and pending substitutes.

The question recurred on the motion of Mr. Burnside to lay on the table the motion of Mr. Patton to indefinitely postpone the bill, and pending substitutes; the motion to table prevailed.

Yeas 19; Nays 11.

Yeas:

Messrs.:	Fite	Howle	Owens
Barrett	Gaither	Hughes	Patterson
Burnside	Gulledge	Kendall	Perry
Clayton	Hardwick	Kimbrell	Russell
Coleman	Hooton	Lamberth	Summerlin

—19

Nays:

Messrs.:	Cater	Harvey	Patton
Allen	Glover	Langan	Swift
Boutwell	Golson	Lowe	Wright

—11

And the substitute offered by Mr. Clayton for the Committee substitute for the bill, which substitute is set out in the Journal of the Senate for the Twenty-ninth Legislative Day, was then adopted by the Senate.

The committee substitute, as amended, for the bill, was then adopted.

Yeas 25; Nays 4.

Yeas:

Messrs.:	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Burnside	Gulledge	Kimbrell	Russell
Cater	Hardwick	Lamberth	Summerlin
Clayton	Harvey	Lowe	Swift
Coleman	Hooton	Mize	Wright
Fite	Howle		

—25

Nays:

Messrs.:	Boutwell	Langan	Patterson
Allen			

—4

Mr. Patton offered the following amendment to the bill, as amended, to-wit:

Amend Senate Bill No. 409 as amended by striking the words "public roads and bridges" where they appear in lines 2 and 3 Page 2 and substituting in lieu thereof the following:

"The following bridges:

Description of Bridge Location	State	Federal-
	Rt. No.	Aid Rt. No.
Cahaba River at Centreville.....	6	30
Conecuh River at River Falls.....	55	84
Pine Barren Creek between Selma & Camden.....	43	37
Coosa River Bridge at Gadsden.....	1	2
Chickasawbogue Creek North of Linden.....	40	43
Cedar Creek Bridge near Mount Vernon on Alabama Highway No. 5		
Alabama River bridge at Montgomery on Highway No. 31 or No. 45.....	31 or 45	
Chattahoochee River at Phenix City (Provided payment for one-half of the State's part of the cost is provided for by the State of Georgia)....	8	2
Fish River between Magnolia Springs & Point Clear.....	89	206
Conecuh River 3 miles South of Union Springs.....	15	39
Line Creek between Union Springs & Montgomery County Line.....	6	28
Black Warrior River between Holly Pond & Ala. Highway 38.....	74	96
Chickasanoxi Creek between Abanda & Mill Town.....	77	271
Crooked Creek between Lineville & Ashland.....	9	15
Buzzard's Roost Creek east of Margarum.....	20	8
Sepulga River between River Falls & Evergreen.....	124	48
Sepulga River between Brooklyn & Andalusia.....	83	447
Coosa River between Rockford & Verbena.....	22	184
Pigeon Creek between Evergreen & River Falls.....	124	48
Conecuh River between Brewton & Dixonville.....	93	459
Pea River between Samson & Florida Line.....	87	409
Little Prairie Creek between Prairieville & Greensboro.....	13	349
Five Mile Creek between Wedgeworth & Havana.....	60	355
Bluewater Creek between Florence & Lexington.....	64	494
West Ford Anderson Creek East of Grassy.....	64	494
Little Turkey Creek near Magnolia.....	99	347
Buttahatchee River between Pearce's Mill & Ala. Highway 112.....	129	550
Cataco Creek between Decatur and Arab.....	67	86
Flint River between Hartselle & Danville.....	33	82
Six Mile Creek between Decatur and Arab.....	67	86
Waters Creek—Dry Creek and Wells Creek between Suttles and Sprotts.....	43	66

Description of Bridge Location	Federal-	
	State Rt. No.	Aid Rt. No.
Tombigbee River West of Pickensville.....	70	10
Coal Fire Creek North of Pickensville.....	40	13
Tallapoosa between Wedowee & Lineville.....	48	146
Cahaba River between Calera & Birmingham.....	31	1
Sucarnoochee Creek between Boyd & Livingston.....	132	284
Coosa River Bridge between Talladega & Vincent.....	48	826
Pea River between Louisville & Banks.....	130	
Dry Creek east of Vineland on Alabama Highway No. 10		
Pea River between Clayton & Smut Eye.....		40
Cahaba River between Blocton & Piper.....		160
Locust Fork between Hendricks & Summit.....		106
Calvert Prong between Cleveland & Locust Fork.....		578
Rocky Creek; Persimmon Creek; Pigeon Creek; Patsaliga Creek; between Georgiana & Brantley.....		389
Chattahosque Creek between Lafayette & Dudley.....		188
Dykes Bridge on Chattooga Creek between Cedar Bluff & Round Mountain.....		22
Wilder Bridge, Little River between Cedar Bluff and Round Mountain.....		22
Terrapin Creek on Hokes Bluff Road between Centre & Gadsden.....		33
Chattooga River at Galesville.....		29
Sepulga River between Evergreen & Annex.....		306
Burnt Corn Creek between Castleberry & Repton.....		326
Connecuh River between Rose Hill & Dozier.....		633
Little Patsalaga Creek between Honorville and Fuller Cross Rd.....		302
Sweetwater Creek between Honorville and Fullers Cross Road.....		302
Choctawhatchee River between Midland City & Echo.....		805
Boquechitto Creek between Orrville & Crumptonia.....		337
Dengis Creek between Sylvania & Fort Payne.....		18
Overpass A. G. S. R. R. at Collinsville on Leesburg High- way (Provided full Federal-Aid is available).....		14
Little Bear Creek between Bellgreen & Hodges.....		275
Big Bear Creek between Bellgreen & Hodges.....		621
Choctawhatchee River between Echo & Newville.....		810
Choctawhatchee River between Abbeville & Bertha.....		812
Cedar Creek between Columbia & Gordon.....		429
Onussee Creek between Webb & Kinsey.....		442
Tennessee River between Flat Rock & Stevenson.....		27
Paint Rock River between Swaim and Scottsboro.....		79
Lotus Fork Black Warrior between Warrior & Traford.....		128
Valley Creek between Hopkins & Mud Creek (Near Oak Grove).....		136

Description of Bridge Location	State Rt. No.	Federal- Aid Rt. No.
Cahaba River between the Pumping Station & Lake		
Purdy Dam		573
Luxapalilia River at Kennedy		552
Cypress Creek west of Florence on Gunnel-Walford Road....		72
Anderson Creek on Snake Road near Limestone County Line		66
Bluewater Creek between Killen & Lexington		115
Cypress Creek on Old Jackson Road 4 miles northwest of Florence		493
Town Creek between Russellville & Town Creek		88
Halawaka Mill Creek between Yarboro and Powledge		297
Elk River between Athens & Alabama 64		105
Elk River at or near Elk River Mill		497
Easter Ferry Road north of Athens		497
Dry Cedar Creek between Braggs & Fostoria		266
Dry Cedar Creek between Fostoria & Minter		266
Flint River North of Chase at Clutcher's Fork		508
Horse Creek between Nanafalia & Putnam		471
Bushy Creek at Peterman on road between Peterman and Burnt Corn		451
Escambia River between Frisco City and Coleman's School		764
Shomo Creek between Eliske and Little River		263
Flint River between Whitesburg & New Hope		56
Bull Mountain Creek between Vina and Hamilton		547
Double bridge over Scar-Ham Creek and Whippoorwill Creek between Hustleville and Marling at Red Mill		121
Fowl River between Mobile & Cedar Point		489
West Fork between Decatur & Danville		131
Conecuh River at Glenwood		198
Tallapoosa River between Dadeville & New Site		237
Mulberry Fork between Dora & Cordova		140
Bates Creek—1 mile south of Sims Chapel		474
Alabama River between Camden and Pine Hill		344
Duncan Bridge over Sipsey River south of Arley on Jasper-Decatur Rd.		35
Clear Creek between Double Springs and Lynn		2
Perdido Bay to connect Coastal Highway (Provided, one-half of the State's cost is provided for by the State of Fla.)		
Little Cahaba River between Boothton & Six Mile		
Lotus Fork Bridge between Hendrick & Summit		
Yellow Creek between Sandrock & Leesburg		
Tombigbee River at Coffeerville		
Tallapoosa River between Fruithurst & Hopewell		
Pea River between Opp & Enterprise		
Mulberry Creek Bridge between Freemont & Burnsville		
Chilatchee Creek near Crumptonia		
Boquechitto Creek Bridge between Orrville to Crumptonia		

Description of Bridge Location	Federal-	
	State Rt. No.	Aid Rt. No.
Town Creek at Old Elroad Mill Site in DeKalb		
Johnnie Creek between Sandrock & Fort Payne		
Sipsey River at Hubbardville		
Bear Creek between Dothan & Wicksburg		
Shades Creek—Extension Green Springs Road		
Lotus Fork Black Warrior between Cane Creek and Sayre		
Pintella Creek between Burkville & Montgomery		
Big Swamp Creek between Whitehall & Benton		
Bruce's Creek (Old Town Creek) near Chesson		
Line Creek between Chesson & Montgomery		
Limestone Creek between Toney and Elkwood		
Powell Creek Bridge between Highway 43 North of Linden and Dayton		
Little New River between Brilliant & Rock City		
Little New River between Glen-Allen & Rock City		
Escatawpa River on Lotts Road		
Escatawpa River between Georgetown & Mississippi Line		
Murder Creek on "Old Stage" Road between Pine Orchard and Skinnerton on Conecuh County Line		
Escambia Creek between Coleman School House & Goodway		
Sipsey River between Greene and Pickens at location of Cot- ton's Bridge		
Conecuh River between Saco & Sandfield		
Coosa River between Ragland & Lincoln		
Black Warrior River near Riverview in Tuscaloosa County		
Warrior River near Gorgas and Flat Creek		
Big Nance Creek on Courtland to Red Bank Road		

Mr. Hardwick moved to lay on the table the amendment offered by Mr. Patton, and the motion to table prevailed.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Coleman	Hooton	Mize	
Barrett	Fite	Howle	Russell	
Bridges	Gaither	Kendall	Summerlin	
Burnside	Hardwick	Kimbrell	Swift	
Clayton	Harvey	Lamberth		—18

Nays:

Messrs.:	Golson	Lowe	Perry	
Allen	Henderson	Patterson	Quarles	
Boutwell	Hughes	Patton	Wright	
Cater	Langan			—13

And said bill, as thus amended by the substitute, was then read a third time at length and lost, for failure to receive the required constitutional majority.

Yeas 18; Nays 14.

Yeas:

Messrs.:	Gaither	Howle	Patterson	
Barrett	Gulledge	Kendall	Perry	
Bridges	Hardwick	Kimbrell	Russell	
Burnside	Harvey	Lamberth	Summerlin	
Fite	Hooton	Mize		—18

Nays:

Messrs.:	Clayton	Hughes	Quarles	
Allen	Coleman	Langan	Swift	
Boutwell	Golson	Lowe	Wright	
Cater	Henderson	Patton		—14

RESOLUTION

Mr. Patterson offered the following Senate Resolution, to-wit:

S. R. 68. RESOLVED that we extend thanks to Hon. Malcolm Harper and Hon. Nathan Roberts of Montgomery, Alabama for the delicious and refreshing breakfast served to the Senate during the early morning hours of August 11th, 1949.

And on motion of Mr. Patterson, the Rules were suspended and the resolution adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 579. Relating to Conecuh County: To fix the compensation of members of the County Board of Education.

By Messrs. Harvey and Clayton:

S. 597. To provide additional compensation for the Secretary of the Senate and the Clerk of the House for the performance of the new, extra, and additional duties imposed upon them by Act No. 27, S. B. 30, approved May 31, 1949.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 103. To amend Section 17 of Title 23 of the Code of Alabama (1940), which relates to agreements with other states as to bridges across rivers or streams forming the boundary of the State of Alabama.

Also:

S. 499. To amend sections 1 and 3 of an act to fix the compensation or salary to be paid the Tax Collector of Morgan County, Alabama, being Act No. 464 of the regular session of the Legislature of Alabama of 1939, approved September 15, 1939, as amended by Act No. 71 of the Legislature of Alabama, approved May 28, 1943.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

S. 608. To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hooton	Mize	Quarles
Allen	Hughes	Owens	Russell
Boutwell	Kendall	Patterson	Summerlin
Coleman	Lamberth	Patton	Swift
Glover	Langan	Perry	Wright
Henderson	Lowe		

—21

Nays:

—0

The Bill:

H. 473. To amend section 173 of title 13 of the 1940 Code of Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Gulledge	Henderson
Allen	Clayton	Hardwick	Hooton
Boutwell	Coleman	Harvey	Hughes

Kendall	Lowe	Patterson	Russell	
Lamberth	Mize	Patton	Wright	
Langan	Owens			—21

Nays: —0

The Bill:

H. 975. To provide in all counties in this State having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent Federal census, for an action of ejectment to recover possession of real property sold under an agreement of sale whereby title to said real property is retained until full payment of the purchase price is made when default has been made in the payments provided for by such agreement of sale and to provide for the redemption of such property.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Harvey	Langan	Perry	
Allen	Henderson	Lowe	Quarles	
Clayton	Hooton	Mize	Russell	
Coleman	Kendall	Owens	Swift	
Gulledge	Kimbrell	Patton	Wright	
Hardwick	Lamberth			—21

Nays: —0

The Bill:

H. 971. To further amend an Act of the Legislature, approved July 8, 1943, General Acts of Alabama of 1943, Page 390, entitled "An Act to apply in but only in, counties which have a population of 400,000 or more, according to the last or any subsequent Federal Census, and which counties are Wet Counties under Section 68 of Title 29 of the 1940 Code of Alabama; and to require the payment to such counties of a license tax, in addition to all other taxes and licenses now required by law, of one cent on each twelve fluid ounces or fractional part thereof of malt or brewed beverages sold, distributed, delivered, stored, or taken out of storage within such counties; and to provide for the ascertainment collection, payment and distribution of such license tax and for the enforcement of this Act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this Act; to repeal any existing ordinances or statutes in conflict with the provisions of this Act", as heretofore amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hardwick	Lamberth	Patton
Allen	Harvey	Langan	Quarles
Barrett	Henderson	Lowe	Russell
Boutwell	Hooton	Mize	Swift
Coleman	Hughes	Patterson	Wright
Glover	Kendall		

—21

Nays:

—0

The Bill:

H. 973. To provide for meetings of the Court of County Commissioners of Coffee County at Elba and Enterprise.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Harvey	Langan	Patton
Allen	Henderson	Lowe	Quarles
Clayton	Hooton	Mize	Russell
Coleman	Hughes	Owens	Swift
Glover	Kendall	Patterson	Wright
Hardwick	Lamberth		

—21

Nays:

—0

The Bill:

H. 970. To amend Sections 5 and 6 of Act No. 414 of the Legislature of Alabama of 1947 (General Acts of 1947, p. 304), which fixes, levies, and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more, according to the last or any subsequent Federal census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Kendall	Patterson
Allen	Hardwick	Lamberth	Patton
Barrett	Harvey	Langan	Quarles
Boutwell	Henderson	Lowe	Russell
Clayton	Hooton	Mize	Swift
Coleman	Hughes		

—21

Nays:

—0

The Bill:

H. 967. To amend Section 84, Title 52, of the Alabama Code of 1940, insofar as said Section relates to counties having a population of 400,000 or more, according to the last or any succeeding Federal census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Kendall	Patterson	
Allen	Hardwick	Lamberth	Patton	
Barrett	Harvey	Langan	Quarles	
Boutwell	Henderson	Lowe	Russell	
Clayton	Hooton	Mize	Swift	
Coleman	Hughes			—21

Nays: —0

The Bill:

H. 966. To abolish the Board of Commissioners of the City of Bessemer, Alabama; to provide in lieu thereof a Board of Commissioners for said City; to provide for the number and designation of the members of the said Board of Commissioners, their mode, manner and time of election and their terms of office; to provide for the authority, powers and rights of the members thereof; to provide for the separate departments of government of said Board and to designate the heads of such departments; to provide for the meetings of said Board and the presiding officer thereof; to provide for the giving of security bond by the members thereof; to provide for the qualifications of the officers and employees of said City, and to prohibit them from being interested in certain contracts of work; to provide for the publication of the financial conditions and of audits of said City; to provide for the method of filling vacancies in said Board; to provide for the salary of the members of said Board; to provide for the public meetings of said Board and procedure therein; to provide for the regulation of municipal elections in said City; to provide for the method and manner of changing the form of government of said City; to provide for the recall of officers of said City; to provide for regulations as to the manner and presentation of petitions; to provide for Recorder, his qualifications, duties and compensation; to provide for the effect of the constitutionality of any portion of this Act; and to provide when this Act shall take effect.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Kendall	Patterson	
Allen	Hardwick	Lamberth	Patton	
Barrett	Harvey	Langan	Quarles	
Boutwell	Henderson	Lowe	Russell	
Clayton	Hooton	Mize	Swift	
Coleman	Hughes			—21

Nays: —0

The Bill:

H. 852. To abolish the office of Deputy Circuit Solicitor and County Solicitor for Baldwin County, Alabama, and to require the Circuit Solicitor of the 28th Judicial Circuit to represent the State of Alabama and Baldwin County in all ways required of the County Solicitor by law.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Kendall	Patterson	
Allen	Hardwick	Lamberth	Patton	
Clayton	Harvey	Langan	Quarles	
Coleman	Henderson	Lowe	Russell	
Glover	Hooton	Mize	Swift	
Golson	Hughes			—21

Nays:

—0

The Bill:

H. 640. For the relief of Joel A. Bamberg. WHEREAS, Joel A. Bamberg, while in the course of his employment by the State Highway Department as a right-of-way foreman, was injured in an accident in Walker County on March 14, 1938 which resulted in his being ninety per cent blinded for industrial purposes, and WHEREAS, Joel A. Bamberg is now in need of an operation and medical care and will permanently be totally or partially disabled from earning a living.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Owens	
Barrett	Gaither	Hughes	Patterson	
Boutwell	Glover	Kendall	Patton	
Bridges	Gulledge	Kimbrell	Perry	
Burnside	Hardwick	Lamberth	Russell	
Cater	Harvey	Langan	Swift	
Clayton	Henderson	Mize	Wright	
Coleman	Hooton			—29

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 919. To amend Act No. 215 of the regular session of the Legislature of Alabama of 1947, Approved July 24, 1947 (General Acts of Alabama of 1947, Page 81 Et Seq.) Entitled "An Act to provide, in any city

of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal Census, for the incorporation of an authority to lease, or own, or otherwise acquire and provide, control and operate fairgrounds, parks, exhibits, exhibitions and other installation, facilities and places for the amusement, entertainment, recreation and cultural development of the citizens of such city; to provide for the management of said authority by a Board of Directors; to provide for the appointment, and term of office and removal of said Directors; to provide for the powers of such authority; to authorize the City to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions of which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the City to make appropriations or to lend money to the authority; and to accord the authority exemption from State, County and City taxation".

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Adams (Jefferson), Dumas, Meeks, Beatty and Gibson:

H. 1024. To propose an amendment to the Constitution of Alabama which will authorize the levy and collection of an additional tax for public school purposes in Jefferson County.

Also:

By Messrs. Meeks, Beatty, Gibson, Sadler and Adams (Jefferson):

H. 1037. To create an Election Commission for all cities of twenty thousand inhabitants and not over thirty thousand inhabitants in counties having four hundred thousand population or over according to the last or any subsequent Federal Census; to provide that the probate judge, sheriff and clerk of the Circuit Court of the county, within which such city or cities are located shall constitute such commission and to define the powers and duties of the same.

Also:

By Messrs. Dumas and Kaul:

H. B. 474. To apply only in counties having a population of 400,000 or more according to the last or any succeeding Federal Census; To provide for the seizure and forfeiture of any automobile or other vehicle which is knowingly used for the transportation of gaming devices, lottery slips, tickets or equipment and other lottery or gaming machinery or paraphernalia or papers.

Also:

By Messrs. Inzer, Miller and Roberts:

H. 863. To impose extra, new and additional duties upon the Solicitor of the Sixteenth Judicial Circuit of Alabama; to provide additional compensation for said Solicitor for the performance of the extra, new and additional duties hereby imposed upon him; and to provide for the payment of such additional compensation by Etowah and St. Clair Counties.

Also:

By Messrs. Dumas, Meeks, Gibson, Kaul, Beatty and Adams (Jefferson):

H. 1034. To amend Section 11 of an act of the Legislature approved July 6, 1945, (General Acts of Alabama, Regular Session 1945, pages 376-400) entitled "An Act To create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof."

Also:

By Messrs. Dumas, Meeks, Beatty, Gibson, Adams (Jefferson):

H. 1033. To fix the compensation or salary of the Judge of Probate of Jefferson County, Alabama, and to regulate the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given, without cost to the State, by publication in Jefferson County, Alabama, where the matter or thing to be affected is situated, of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail of the following: To fix the compensation or salary of the Judge of Probate of Jefferson County, Alabama, and to regulate the payment thereof.

Messenger—May 14-21-28-June 4, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 14, 21, 28, June 4, 1949, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 6 day of June, 1949.

MALCOLM L. WHEELER,
Notary Public.

Also:

By Messrs. Beatty, Meeks, Gibson, Adams (Jefferson) and Dumas:
H. 1032. To amend Title 13, Section 199 of the 1940 Code of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

"Notice is hereby given that application will be made to the Legislature of Alabama at its present session for the passage of an act to increase the salary of the Deputy Clerk of the Circuit Court of Jefferson County, Bessemer Division, Tenth Judicial of Alabama."
The Bessemer Advertiser,
June 3-10-17-24, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for State and County aforesaid, personally appeared: B. M. McElroy, who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for 4 weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: June 3-10-17-24, 1949 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 2nd day of July, 1949.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Beatty, Meeks, Gibson, Adams (Jefferson):

H. 1030. To increase the compensation of the Judge of the Jefferson County Court of Misdemeanors.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that application will be made to the next session of the Alabama Legislature for the passage of an Act to increase the compensation of the Judge of the Jefferson County Court of Misdemeanors and to regulate the payment of the salary of the Judge of said court and to change the name of said court.
The Call—June 4-11-18-25, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Personally appeared before me, the undersigned authority, Mrs. J. Paul Ward, who first being duly sworn by me, deposes and says on oath

that she is the Editor & Manager for The Weekly Call, a weekly newspaper published in said State and County, and that the notice, a true copy of which is hereto attached, was published in The Weekly Call, once a week for 4 consecutive weeks, commencing on the 4th day of June, 1949.

MRS. J. PAUL WARD.

Subscribed and sworn to before me on this the 27th day of June, 1949.

MOLLIE DAFFIN,

Notary Public.

Also:

By Messrs. Dumas, Adams (Jefferson), Beatty, Sadler and Gibson:

H. 1029. To increase and fix the salary of the Clerk of the Circuit Court of Jefferson County, Tenth Judicial Circuit of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Personally appeared before me Beatrice Porter, a Notary Public in and for said County in said State, Eleanor Abercrombie, who being by me first duly cautioned and sworn deposes and says that she is the Publisher of the Birmingham Messenger, a weekly newspaper, published in the State of Alabama, and in the City of Birmingham and in the County of Jefferson in said State; and that a legal notice was published for four consecutive weeks in said above named weekly newspaper, which said notice was in words and figures as follows:

"Notice is hereby given that application will be made to the Legislature of Alabama at its present session for the passage of an act to increase the salary of the Clerk of the Circuit Court of Jefferson County, Tenth Judicial Circuit of Alabama."

Affiant, the said Eleanor Abercrombie, further deposes and says that the said legal notice was published in the said above named weekly newspaper on the dates of May 14, 1949, May 21, 1949, May 28, 1949 and June 4, 1949.

ELEANOR ABERCROMBIE,

Affiant, who is the Publisher of the Birmingham Messenger.

Sworn to and subscribed before me on this the 8 day of June, 1949.

BEATRICE PORTER,

A Notary Public in and for Jefferson County, Alabama.

Also:

By Messrs. Kaul, Adams (Jefferson), Beatty, Meeks, Gibson and Dumas:

H. 1028. To change the designation of the office of the License Inspector to the Department of Revenue and to change the designation of the License Inspector to Director of Revenue, in all counties having a population of 400,000 or more according to the last or any succeeding Federal census, to provide for the appointment, tenure, powers and duties of the Director of Revenue, and to grant power to said Department to require information to be furnished and to require the production for inspection of books, records, and papers.

Also:

By Messrs. Beatty, Meeks, Gibson, Dumas, Adams (Jefferson):

H. 1027. To amend Section 2 of an act entitled "An act to further define and extend the powers, authority and duties of the Circuit Solicitor of the tenth judicial Circuit; To require the Circuit Solicitor of the tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be

tried in the Juvenile and Domestic Relations Court of Jefferson County; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Juvenile and Domestic Relations Court of Jefferson County; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act." House Bill 507, Approved, September 30, 1947.

Also:

By Messrs. Beatty, Gibson, Adams (Jefferson) and Meeks:

H. 1022. For the relief of Mrs. Emma V. Eley, in the sum of Twelve Hundred and No/100 (\$1200) Dollars in that on, to-wit, October 21, 1947, a duly authorized agent, servant or employee of Jefferson County, Alabama, Mr. Joe Pickens, negligently drove an automobile into an automobile, the property of Mrs. Emma V. Eley in which Mrs. Emma V. Eley was riding and which she was operating at said time at the intersection of 66th Street and Division Avenue in Birmingham, Jefferson County, Alabama, said sum covering actual damages to the automobile of Mrs. Emma V. Eley and to her person in that she was permanently and painfully injured by the authorized agent, servant or employee of Jefferson County, Alabama, for repairs to said automobile and for hospital bills, medical expenses in and about her treatment.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

For the relief of Mrs. Emma V. Eley, in the sum of Twelve Hundred and No/100 (\$1200.00) Dollars in that on to-wit, October 21, 1947, a duly authorized agent, servant or employee of Jefferson County, Alabama, Mr. Joe Pickens, negligently drove an automobile into an automobile, the property of Mrs. Emma V. Eley in which Mrs. Emma V. Eley was riding and which she was operating at said time at the intersection of 66th street and Division Avenue in Birmingham, Jefferson County, Alabama, said sum covering actual damages to the automobile of Mrs. Emma V. Eley and to her person in that she was permanently and painfully injured by the authorized agent, servant or employee of Jefferson County, Alabama, for repairs to said automobile and for hospital bills, medical expenses in and about her treatment.

Be It Enacted by the Legislature of Alabama:

Section I. That the County Commission of Jefferson County, Alabama, is hereby authorized and directed to draw, or cause to be drawn, a warrant on the Treasurer of Jefferson County, Alabama, payable to Mrs. Emma V. Eley, for the sum of Twelve Hundred and No/100 (\$1200.00) Dollars, to compensate her for personal injuries sustained as a direct and proximate consequence of the negligence of an agent, servant or employee of Jefferson County, Alabama, Mr. Joe Pickens, and to compensate her for medical expense, doctor's bills and to compensate her for the damage and actual loss and expense sustained by her automobile damaged, said injury and damage to Mrs. Emma V. Eley as a direct and proximate consequence of the negligence of the agent, servant or employee of Jefferson County, Alabama, while acting within the line and scope of his employment as such, in negligently driving an automobile which was owned and operated by Jefferson County, Alabama, into, upon or against the automobile of Mrs. Emma V. Eley, and seriously and permanently injuring her and her automobile, said sum of Twelve Hundred (\$1200.00) Dollars being for the purpose of compensating her for her said injuries and damage to her said automobile and the Treasurer of Jefferson County, Alabama, is hereby directed to pay said warrant to the said Mrs. Emma V. Eley, out of such funds not otherwise appropriated.

Section II. That this act shall become effective immediately upon its passage or approval by the Governor or its otherwise becoming a law. The Call—June 25; July 2, 9, 16, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Personally appeared before me, the undersigned authority, Mrs. J. Paul Ward, who first being duly sworn by me, deposes and says on oath that she is the Editor & Manager for The Weekly Call, a weekly newspaper published in said State and County, and that the notice, a true copy of which is hereto attached, was published in The Weekly Call, once a week for 4 consecutive weeks, commencing on the 25th day of June, 1949.

MRS. J. PAUL WARD.

Subscribed and sworn to before me on this the 18th day of July, 1949.

MOLLIE DAFFIN,

Notary Public.

Also:

By Messrs. Dumas, Gibson, Beatty and Meeks:

H. 1020. To provide for and require the reidentification of each qualified elector in all counties in the State having a population of 400,000 or more according to the last or any subsequent Federal Census; and to require the Board of Registrars in any such county to take the necessary action to purge the lists of the qualified electors in any such county and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a wilfully false statement in connection with his reidentification shall be guilty of perjury.

Also:

By Messrs. Beatty, Gibson, Adams (Jefferson) and Meeks:

H. 1018. For the relief of Mrs. Ethel Mae Dorrity, in the sum of One Thousand and No/100 (\$1,000) Dollars in that on, to-wit, October 21, 1947, a duly authorized agent, servant or employee of Jefferson County, Alabama, Mr. Joe Pickens, negligently drove an automobile into an automobile in which the said Mrs. Ethel Mae Dorrity was riding as a passenger, and permanently and painfully injuring her, at the intersection of 66th Street and Division Avenue in Birmingham, Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

AN ACT

For the relief of Mrs. Ethel Mae Dorrity, in the sum of One Thousand and No/100 (\$1,000.00) Dollars in that on to-wit, October 21, 1947, a duly authorized agent, servant or employee of Jefferson County, Alabama, Mr. Joe Pickens negligently drove an automobile into an automobile in which the said Mrs. Ethel Mae Dorrity was riding as a passenger, and permanently and painfully injuring her at the intersection of 66th street and Division Avenue in Birmingham, Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the County Commission of Jefferson County, Alabama, is hereby authorized and directed to draw, or cause to be drawn, a warrant on the Treasurer of Jefferson County, Alabama, payable to

Mrs. Ethel Mae Dorrity, for the sum of One Thousand and No/100 (\$1,-000.00) Dollars to compensate her for personal injuries sustained as a direct and proximate consequence of the negligence of an agent, servant or employee of Jefferson County, Alabama, who was Mr. Joe Pickens, while acting within the line and scope of his employment as such, and negligently driving an automobile which was owned or operated by Jefferson County, Alabama, into, upon or against the automobile in which Mrs. Ethel Mae Dorrity was riding, and against and upon the person of the said Mrs. Ethel Mae Dorrity, and seriously, permanently and painfully injuring her, said sum of One Thousand (\$1,000.00) Dollars being for purpose of compensating her for her said injuries, medical expenses and the Treasurer of Jefferson County, Alabama, is hereby directed to pay such warrant to the said Mrs. Ethel Mae Dorrity out of such funds not otherwise appropriated.

Section II. That this Act shall become effective immediately upon its passage or approval by the Governor or its otherwise becoming a law. The Call—June 25; July 2, 9, 16, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Personally appeared before me, the undersigned authority, Mrs. J. Paul Ward, who first being duly sworn by me, deposes and says on oath that she is the Editor & Manager for The Weekly Call, a weekly newspaper published in said State and County, and that the notice, a true copy of which is hereto attached, was published in The Weekly Call, once a week for 4 consecutive weeks, commencing on the 25th day of June, 1949.

MRS. J. PAUL WARD.

Subscribed and sworn to before me on this the 18th day of July, 1949.

MOLLIE DAFFIN,

Notary Public.

Also:

By Mr. Evans:

H. 984. Relating to Choctaw County: To amend Section 2 of Act No. 156, H. B. 129, approved July 15, 1927 (Local Acts of Alabama, 1927, p. 67), entitled "An Act to provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office," as amended.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF CHOCTAW

Notice is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Choctaw County: To amend Section 2 of Act No. 156 H. B. 129, approved July 15, 1927 (Local Acts of Alabama, 1927, p. 67), entitled "An Act to provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualification powers and duties and to provide for appointment or election of his successor in office," as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 156, H. B. 129, approved July 15, 1927 (Local Acts of Alabama, 1927, p. 67), entitled "An Act to provide for the election of County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualification, powers and duties and to provide for appointment or election of his successor in office," as amended to read as follows:

"Section 2. The salary of the County Superintendent of Education of Choctaw County shall be fixed by the County Board of Education at an amount not less than three thousand six hundred dollars (\$3,600) nor more than four thousand five hundred dollars (\$4,500) a year and shall be paid in the same manner as the general law of the State provides the salaries of county superintendents of education in the several counties shall be paid. The Board of Education of Choctaw County may allow the County Superintendent of Education actual traveling expenses, not to exceed the sum of six hundred dollars (\$600) a year, incident to the duties of his office."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 6-30-4t

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Matt L. Blount, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1949.

MATT L. BLOUNT.

Sworn to and subscribed before me July 30, 1949.

ZACK ROGERS, JR.,
Notary Public.

Also:

By Mr. Wood (Bibb):

H. 1009. To impose extra, new, and additional duties upon the members of the Board of County Commissioners of Bibb County and to provide additional compensation for the performance of such duties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To impose extra, new, and additional duties upon the members of the Board of County Commissioners of Bibb County and to provide additional compensation for the performance of such duties.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other duties now imposed upon them by law, the following extra, new, and additional duties are hereby imposed upon the members of the Board of County Commissioners of Bibb County:

(a) The board shall hold regular meetings during the second and fourth weeks in each month of the year on a day to be determined, from time to time, by the board, and at such other times as are now provided by law.

(b) Each member of the board shall superintend the construction and maintenance of all public roads and bridges in his district, and shall make such reports of his activities to the board, from time to time, as are necessary to keep the board informed as to the condition of the public roads and bridges in his district.

Section 2. The members of the board shall be entitled to receive seventy-five dollars (\$75) a month, in addition to the compensation provided by Act No. 280, H. B. 613, approved June 28, 1943 (Local Acts of 1943, p. 280), for the performance of the duties imposed upon them by this Act, which compensation shall be payable in the same manner and from the same funds as provided in said Act No. 280.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

J23-4tchg.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1949.

J. W. OAKLEY.

Sworn to and subscribed before me July 23, 1949.

MARVIN HUETT,
Notary Public.

Also:

By Messrs. Thagard and McGowin:

H. 1012. To amend Section 3 and repeal Section 4 of an act entitled "An Act to provide for dividing Butler County into four commis-

sioner districts; to provide for the election of a commissioner for each of such districts; to provide for the tenure of office of such commissioners and to provide the compensation of the commissioners so elected," approved June 23, 1945.

With notice and proof thereto attached and herewith exhibited as follows:

A SPECIAL NOTICE

Notice is hereby given of intention to apply at the present regular Session of the Legislature of Alabama for the enactment of the following local law, the provisions of which shall be operative in Butler County only.

A BILL TO BE ENTITLED AN ACT

To amend Section 3 and repeal Section 4 of an act entitled "An Act to provide for dividing Butler County into four commissioner districts; to provide for the election of a commissioner for each of such districts; to provide for the tenure of office of such commissioners and to provide the compensation of the commissioners so elected," approved June 23, 1945.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of an act entitled "An Act to provide for dividing Butler County into four commissioner districts; to provide for the election of a commissioner for each of such districts; to provide for the tenure of office of such commissioners and to provide the compensation of the commissioners so elected," approved June 23, 1945, be and the same is hereby amended to read as follows:

Section 3. That, at the primary election in 1952 and every four years thereafter, the qualified electors of each of said districts in Butler County entitled to participate in such primary shall nominate one commissioner for said County of Butler for that district, who shall be a bona fide elector of and shall actually reside in the district for which he is nominated; and, at the general election in 1952 and every four years thereafter, the qualified electors of each of said districts in Butler County shall elect one commissioner for said County of Butler for that district, who shall be a bona fide elector of and shall actually reside in the district for which he is elected, and who shall hold office for a period of four years, and until his successor shall be elected and qualified.

Section 2. That Section 4 of an act entitled "An Act to provide for dividing Butler County into four commissioner districts; to provide for the election of a commissioner for each of such districts; to provide for the tenure of office of such commissioners and to provide the compensation of the commissioners so elected," approved June 23, 1945, be and the same is hereby expressly repealed.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

38c4

STATE OF ALABAMA BUTLER COUNTY

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice

was published in said The Greenville Advocate for 4 successive weeks, said notice having been published in the issues of June 23, June 30, July 7 and July 14, 1949 being numbers 38, 39, 40 and 41, respectively of Volume 84.

J. G. STANLEY.

Sworn to and subscribed before me, this 26th day of July, 1949.

PAULINE B. FULTON,
Notary Public.

Also:

By Messrs. Thagard and McGowin:

H. 1013. To alter and extend the boundaries of the City of Greenville: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Greenville for their approval or rejection of such alterations and extension.

With notice and proof thereto attached and herewith exhibited as follows:

SPECIAL NOTICE

Notice is hereby given of intention to apply at the present regular session of the Legislature of Alabama for the enactment of the following local law, the provisions of which shall be effective in Butler County only.

A BILL TO BE ENTITLED AN ACT

To alter and extend the boundaries of the City of Greenville; To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Greenville for their approval or rejection of such alterations and extension.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Greenville, in the County of Butler, State of Alabama, are, subject to the other provisions hereof, hereby altered and extended so that said boundaries shall include within the corporate limits of said City all of the following described additional property not presently located in said City, to-wit:

The S $\frac{1}{2}$ and S $\frac{1}{2}$ of N $\frac{1}{2}$ of Section 10; the S $\frac{1}{2}$ and S $\frac{1}{2}$ of N $\frac{1}{2}$ of Section 11; the S $\frac{1}{2}$ and S $\frac{1}{2}$ of N $\frac{1}{2}$ of Section 12; the E $\frac{1}{2}$ of E $\frac{1}{2}$ of Section 13; W $\frac{1}{2}$, NE $\frac{1}{4}$ and W $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 15; W $\frac{1}{2}$ and W $\frac{1}{2}$ of E $\frac{1}{2}$ of Section 22; the E $\frac{1}{2}$ of E $\frac{1}{2}$ of Section 24; the N $\frac{1}{2}$ and N $\frac{1}{2}$ of S $\frac{1}{2}$ of Section 25; N $\frac{1}{2}$ and N $\frac{1}{2}$ of S $\frac{1}{2}$ of Section 26; the N $\frac{1}{2}$ and N $\frac{1}{2}$ of S $\frac{1}{2}$ of Section 27; all in Township 10, Range 14.

Also the SW $\frac{1}{4}$ and S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 7; W $\frac{1}{2}$ of Section 18; W $\frac{1}{2}$ of Section 19; NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 30; all in Township 10, Range 15.

Section 2. Within ten days after the approval of this act by the Governor, or its otherwise becoming a law, the Judge of Probate of Butler County, Alabama, shall make and enter an order upon the minutes of said court, directing and ordering an election to be held by the qualified voters residing within the territory described, which is to be annexed to said city, said election to be held within forty days from the entry of said order. Said election shall be held to determine whether or not a majority of the voters residing within the territory above described to be annexed to said city favor the annexation to said city of said territory above described. Said Judge shall give notice of the holding of said election by publication in The Greenville Advocate, a newspaper pub-

lished in the City of Greenville, Alabama, once a week for four weeks preceding the date of said election and also by posting notices at three public places in the part of said territory annexed to said city by this act, which notices shall state the date on which said election is to be held, the voting place or places designated by the Judge of Probate of said county, the boundaries within which voters must reside to vote at the respective voting places, which must be within the territory annexed to said city by this act and said notices must give a description of the territory so annexed, and must state that a map of said territory is on file in the office of the Judge of Probate of said County, open to the inspection of the public.

Section 3. The Judge of Probate of said county may designate as many places within the territory hereby annexed to said city as he may deem necessary for the convenience of the voters, and must designate the boundaries within which the voters must reside to vote at the respective voting places, and shall appoint three inspectors of election, two clerks and one returning officer for each voting place, which inspectors shall manage the election at the respective voting places at which they are appointed as inspectors.

Section 4. Each qualified voter who has resided within the boundaries of the territory hereby annexed to said city for three months next preceding the election may vote at said election, but must vote at the voting place designated by the Judge of Probate for voters in the territory in which he resides.

Section 5. Said election must be conducted in all respects as provided by the general election laws and under the same sanction and penalties, except as changed by the provisions of this Act. There shall be no voting by absentee ballot.

Section 6. The Judge of Probate shall furnish ballots for such election with the following words written or printed thereon: "For annexation," if the voter desires to vote in favor of annexing the territory to the City, or "Against annexation," if the voter desires to vote against annexing the territory to the City. It shall not be necessary for the ballot to be of any particular size, form or color, but sufficient ballots shall be provided for the accommodation of all prospective voters at the several voting places.

Section 7. The inspectors at the respective voting places, must, as soon as the polls are closed, ascertain and certify the results of the election at their respective voting places to the Judge of Probate, and deliver the same to the returning officer, who must at once return the same to the Judge of Probate, and said Judge must canvass the returns as made by the inspectors, and if it appears that a majority of the votes cast at the election were "for annexation," said Judge shall make and enter an order on the records of said Probate Court recording such fact, and from the time of the entry of such order this act shall be fully effective and the boundaries of said City of Greenville shall be as above set forth. If it appears that a majority of the votes cast at the election are "against annexation," the Judge of Probate shall make and enter an order on the records of said court recording such fact, and this act shall not be effective, and the boundaries of said City shall be and remain as they were before the passage of this act.

Section 8. The result of such election may be contested by any qualified elector voting at the election under the same provisions as are provided by general law for contesting the election of a Justice of the Peace, making the City the contestee. The City of Greenville shall pay all costs and expenses incident to the election.

Section 9. The Probate Judge shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services rendered by him, and all other officers shall be entitled to the same compensation for services

rendered by them, as they are authorized by law to charge and collect for similar service rendered by them, and said City of Greenville shall pay all costs and expenses, except in the case of a contest as herein provided. 39c4

STATE OF ALABAMA
BUTLER COUNTY

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for 4 successive weeks, said notice having been published in the issues of June 30, July 7, July 14 and July 21, 1949 being numbers 39, 40, 41 & 42, respectively of Volume 84.

J. G. STANLEY.

Sworn to and subscribed before me, this 26th day of July, 1949.

PAULINE B. FULTON,
Notary Public.

Also:

By Messrs. Roberts and Miller:

H. 1036. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Etowah County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said Library, or to assist therein, and the employment of additional personnel for said purpose, and the payment of the salaries of such personnel.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given of intention to introduce in the 1949 Regular Session of the Legislature and to press for passage of a Special, Private or Local Bill in Substance as follows:

A BILL
TO BE ENTITLED
"AN ACT"

To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Etowah County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain courts in said county for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said Library, or to assist therein, and the employment of additional personnel for said purpose, and the payment of the salaries of such personnel.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Etowah County, Alabama, is hereby fully authorized to establish and maintain a Public Law Library in said

County, and, to accomplish said purpose, may, from time to time expend such public funds of said county as are not required by law to be expended for any other purpose or purposes; to provide suitable housing quarter, furniture, fixtures and equipment therefor; to keep the same in a good state of maintenance and repair; and, from time to time, to enlarge, expand and improve such library, facilities and equipment; and, from time to time, to provide such books, reports and periodicals for said Library as are not provided therefor out of the proceeds of the special fund created by this Act or otherwise; and to pay the salaries of a Librarian and such other personnel as may be necessary and proper to operate the same, to the extent that such salaries are not paid out of the proceeds of such special fund; which expenditures shall, from time to time, be made on warrants drawn in the usual manner, upon the County, payable out of appropriate fund or funds.

Section 2. In order to provide a special fund for the maintenance of said Library, there shall be taxed as costs the sum of One Dollar and Fifty Cents (\$1.50) in each Civil or Quasi Civil Action at Law, Suit in Equity, Criminal Case, Quasi Criminal Case, proceeding on a Forfeited Bail Bond or proceeding on a Forfeited Bond given in connection with an appeal from a judgment of conviction in any Inferior or Municipal Court to the Circuit Court hereinafter filed in, arising in or brought by appeal, certiorari or otherwise to the Circuit Court of Etowah County, Alabama, which costs shall be collected as other costs in such cases are collected by the Clerk of said Court or the Register in Chancery thereof, as the case may be, and shall be paid to the County governing body.

Section 3. There shall, also, be taxed as cost the sum of One Dollar (\$1.00) in each Criminal Case hereafter filed in the Etowah County Court, and in each Civil Case hereafter filed in said Etowah County Court, which costs shall be collected as other costs in such cases are collected and when collected by the Clerk of said Court shall be paid by him to the County governing body.

Section 4. The sums herein provided to be paid to the County Governing body shall be kept in a separate fund designated as "Etowah County Law Library Fund" and shall be expended by the presiding Judge of the Circuit Court of Etowah County, Alabama for maintaining said Law Library. Said presiding Judge shall draw warrants on the County for expenditures by him indicating on the warrants the funds against which the warrants are drawn. Said fund shall be used primarily to purchase such books and periodicals, and to pay the salaries of such personnel, as may in the opinion of the said presiding Judge be advisable, but to the extent not so used such funds may be otherwise expended for the maintenance of the Library. The management of the said Law Library is vested in said presiding Judge and all books or other property purchased with the funds produced by this Act shall be the property of Etowah County, Alabama; provided, however, that the said Judge may from time to time sell or exchange any such books, reports, periodicals, and personal property, and apply the proceeds of the sale thereof, or the value thereof, upon the purchase of other books, reports, periodicals and personal property for use in said Library, and said Judge may accept any gift or loan of any books, reports, periodicals, and property for public use in said Library upon such terms and conditions as may be stipulated by the donor or lender thereof and as may be agreeable to the said judge. Said presiding Judge may appoint such personnel as may be necessary or proper to operate said Library, and to the extent that circumstances permit, may designate the Circuit Clerk, or one or more deputy Circuit Clerks, to operate the same or to assist therein.

Section 5. The said items of cost above referred to shall be designated in said respective Court as "Law Library Fee" and when any part of the costs in such a case or proceeding shall have been paid the amount necessary for the payment of said fee shall be applied thereto before applying

any of the amount paid as costs to any other item of cost. On or before the 10th day of each month, the Clerk of the respective Courts (including the Register in Chancery) shall pay to the said County governing body the amounts collected for said Law Library Fees previous to the 1st day of the month.

Section 6. If any sentences, clause, provision of section of this Act be declared to be invalid, the invalidity thereof shall not effect the validity or any other portion or provision of this Act, it being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of any portions hereof.

Section 7. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

ETOWAH COUNTY BAR ASSOCIATION,

By A. B. CUNNINGHAM,

President.

June 30, July 7, 14, 21.

STATE OF ALABAMA
ETOWAH COUNTY

Before me, Walter Betz, a Notary Public, in and for said County, in said State, personally appeared Arline Weaver, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. Bookkeeper of The Gadsden Times, a newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of A Bill To Be Entitled An Act, which notice was printed in The Gadsden Times in its regularly circulated editions on 6/30, 7/7, 7/14 and 7/21, 1949, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appeared in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 2nd day of August, 1949.

ARLINE WEAVER.

Subscribed and sworn to before me on this, the 2nd day of August, 1949.

WALTER BETZ,

Notary Public, Etowah County, Ala.

Also:

By Mr. Richardson:

H. 1010. To propose an amendment to the Constitution of Alabama relative to a special school district, school district taxes, and the construction of a school building in Lawrence County.

Also:

By Mr. Buckner:

H. 1015. Relating to counties with populations of not less than 46,250 nor more than 48,100 inhabitants: providing an additional clerk for the tax collector of such a county.

Also:

By Mr. Haynes (Franklin):

H. 986. Relating to Franklin County: To change the method of compensating the Probate Judge, placing him on a salary, and providing him a clerk hire allowance, office space, and equipment.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF FRANKLIN

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A Bill to be Entitled An Act Relating to Franklin County:

To change the method of compensating the Probate Judge, placing him on a salary, and providing him a clerk hire allowance, office space, and equipment.

Be It Enacted by the Legislature of Alabama:

Section 1. The Probate Judge of Franklin County shall receive an annual salary of forty-two hundred dollars (\$4200) which shall be in lieu of all other compensation. He shall also receive an annual allowance of four thousand two hundred dollars (\$4,200) to be used exclusively for clerk hire.

Section 2. All fees, commissions, allowances, percentages, charges, and costs heretofore collected for the use of the Probate Judge shall be collected and paid into the general fund of the county.

Section 3. The compensation of the Probate Judge and of his clerks and assistants shall be paid in equal monthly installments as the salaries of other county employees are paid.

Section 4. The Probate Judge shall select, discharge, and fix the salaries of his subordinates.

Section 5. The governing body of Franklin County shall provide the Probate Judge with the necessary quarters, books, stationery, office equipment, supplies, postage and other conveniences and equipment for the proper and efficient conduct of the affairs of his office.

Section 6. This Act shall become effective upon the ratification and adoption of an amendment to the Constitution of Alabama authorizing such an act.

6-30-4t. cg.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. C. Giles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1949.

M. C. GILES.

Sworn to and subscribed before me July 29, 1949.

MABEL AMOS,

Title Notary Public.

Also:

By Messrs. Dumas, Beatty, Gibson, Adams (Jefferson) and Meeks:

H. 1019. To further amend local Act No. 334 of the 1945 regular session of the Legislature of Alabama (Local Acts 1945 page 144, et sequitur) as heretofore amended.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

is hereby given that at the present session of the Legislature of Alabama, now being held at the State Capitol in Montgomery, Alabama, a bill will be introduced for passage, the substance of which will be:

A BILL TO BE ENTITLED AN ACT

To further amend Local Act No. 334 of the 1945 Regular Session of the Legislature of Alabama (Local Acts 1945 Page 144, Et Sequitur) as heretofore amended.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 12 of Local Act No. 334 of the 1945 Regular Session of the Legislature of Alabama (Local Acts 1945, Page 144, et sequitur) as heretofore amended, be and the same hereby is further amended so as to read as follows:

Section 12. Retirement Allowances. (a). Any employee member who shall be now or hereafter of the age of sixty or more years who shall have now or hereafter accumulated fifteen or more years of creditable time, or any employee member who, regardless of age, shall have now or hereafter accumulated twenty-five or more years of creditable time, shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire and obtain a retirement allowance, he should voluntarily retire, or be involuntarily retired, from the service, he shall be entitled to a monthly retirement allowance from the fund as hereinafter in this sub-division (a) of this section specified. The monthly amount which shall be allowed any employee member who shall be entitled to a retirement allowance under this subdivision of this section, and who shall be, or shall have been, an employee member at July 1, 1947, shall be forty per centum (40%) of his final average salary, plus five sixths of one per centum ($5/6$ of 1%) of his final average salary multiplied by the number of years of his creditable time in excess of fifteen (15) years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty two and one half per centum ($52\frac{1}{2}\%$) of his final average salary. The monthly amount which shall be allowed any employee member who shall be entitled to a retirement allowance under this subdivision of this section, and who shall not be, or shall not have been, an employee member at July 1, 1947, shall be one and three fourths per centum ($1\frac{3}{4}\%$) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty two and one half per centum ($52\frac{1}{2}\%$) of his final average salary. The amount of any retirement allowance under this subdivision of this section shall commence to accrue at date of retirement. (b) Any employee member who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having accumulated twenty (20) years of creditable time, shall be entitled to a monthly retirement allowance from the fund equal to one and three fourths per centum ($1\frac{3}{4}\%$) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty two and one half per centum ($52\frac{1}{2}\%$) of his final average salary. Anything hereinabove to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of

involuntary retirement or dismissal of such person, the personnel board or other agency governing tenure of service of employees of the City shall certify that such employee has not contributed by his own fault or misconduct to his separation from the service. If such certificate shall be made within said time the amount of retirement allowance shall commence to accrue at date of involuntary retirement, and if such certificate shall not be made within said time, the amount of retirement allowance shall commence to accrue at age sixty, provided there be no withdrawal of contributions. Anything hereinabove to the contrary notwithstanding, a retirement allowance under this subdivision of this section shall not accrue or be payable for any period during which such involuntarily retired person shall refuse or fail to accept proffered employment in the service at compensation equal to that he was receiving at the time he was involuntarily separated from the service. (c). For the purpose of computing retirement pay, an employee shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned, salary for the purpose of deductions from salary under Section 9. The Board may treat the end of the payroll period next before actual date of retirement of an employee member as the date of his retirement for purposes of computation, and, and for such purposes, may disregard a fraction of a year of creditable time less than one fourth ($\frac{1}{4}$). (d) Subject to the provisions of subdivisions (e) and (f) of this section, the amount of any retirement allowance which may have commenced to accrue in accordance with the provisions of the system shall continue to accrue throughout the life of such person. (e). If, after any person shall have retired or been retired as hereinabove in this section provided, and the amount of his retirement allowance shall have commenced to accrue, he should be re-employed in the service and again become a member of the system under the terms of the system, he shall again contribute to the fund as in the case of any other member, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employee membership, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him. (f). In the event of death of any male employee member after he shall have become entitled to voluntarily retire and obtain a retirement allowance his widow, at the time of his death, provided she has been married to him for five consecutive years while he was employed in the service of the City, shall be entitled to a monthly widow's allowance in an amount equal to seventy-five per centum (75%) of the amount of monthly retirement allowance to which her deceased husband would have been entitled had he retired immediately before death; and in the event of death of any retired beneficiary in whose favor the amount of a monthly retirement allowance is accruing, his widow, at the time of his death, provided she was married to him for at least five years while he was in the service of the City, shall be entitled to a monthly widow's allowance in an amount equal to seventy-five per centum (75%) of the monthly amount of the retirement allowance accruing in favor of her deceased husband immediately prior to his death. In the event of death of any male employee member after he has accumulated ten or more years of creditable time and before he has retired or has become entitled to retire his widow, at the time of his death, provided she has been married to him for five consecutive years while he was employed in the service of the City, shall be entitled to a monthly widow's allowance in an amount equal to thirty per centum (30%) the final average salary of such deceased employee but in no event shall such allowance exceed one hundred (\$100.00) dollars per month. (g) If an employee member be killed in the line of his duty after July 1, 1947,

his widow, if any, without regard to the time during which the marriage existed, and without regard to the amount or length of his creditable time, shall be entitled to a monthly allowance of forty per cent (40%) of the final average salary of such employee member plus ten per cent (10%) of his final average salary for each child of such widow by such deceased employee until such child shall die or reach the age of eighteen (18) years, whichever may first occur. The total allowance payable under this Sub-section (g) shall not exceed the employee's salary at the time of his death. (h). The amount of a widow's allowance, provided for in (f) and (g) above, shall commence to accrue at the death of her husband, and shall continue to accrue to the time of her death or remarriage, whichever may first occur. (i). The rights of any person who may have heretofore or hereafter retired from the service after June 30, 1945, shall continue to be measured and governed by the terms of the system in effect at the time of such retirement, and should such person die during continuance of such retirement the rights of any widow of such deceased retired person, and the rights of any widow of any other deceased person, shall be measured and governed by the terms of the system in effect at the time of death of her deceased husband, and the foregoing provisions of this subdivision (i) shall control over anything heretofore or hereafter in the system which might be construed to the contrary.

Section 2. That Section 14 of Local Act No. 334 of the 1945 Regular Session of the Legislature of Alabama (Local Acts 1945, Page 144, et sequitur) as heretofore amended, be and same hereby is further amended so as to read as follows:

Section 14. Disability Allowances. (a). If any employee member, after having accumulated five (5) years or more of creditable time, shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, then, in the event such total disability shall continue for sixty consecutive calendar days from commencement thereof, such disabled person shall be entitled to a monthly disability allowance from the fund equal to two and one half per centum ($2\frac{1}{2}\%$) of his final average salary multiplied by the number of years of his creditable time, such monthly allowance, however, not to exceed fifty-two and one half per centum of his final average salary, and the amount of such disability allowance to commence to accrue at the expiration of sixty calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. Anything hereinabove to the contrary notwithstanding, a disability allowance based on disability commencing prior to May 1, 1947, shall be payable at the rate provided for by statute in effect at the time of commencement of such disability. An allowance under this subdivision of this section shall be known as an "ordinary disability allowance." (b) If any employee member, whether with or without five years of creditable time, shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury arising out of and in the course of his employment in the service and occurring at a definite time and place and after July 1, 1945, then, in the event such total disability shall continue for sixty consecutive calendar days from commencement thereof, such disabled person shall be entitled to a monthly disability allowance from the fund equal to seventy-five per centum (75%) of his monthly salary at the time of commencement of such total disability, the amount of such total disability allowance to commence to accrue at the expiration of such sixty consecutive calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance

made under this subdivision of this section shall be known as a "duty disability allowance," but no disability allowance shall be made by the Board under this subdivision of this section after six months after the accident resulting in such disability or if such accident occurred while the disabled person was employed by another than the City. No disability allowance shall be treated as a duty disability allowance unless the resolution by which it is made contains the specification that it is a duty disability allowance and unless such resolution be passed within six months after the accident resulting in disability. In the event that a duty disability beneficiary should become separated from the service during continuance of total disability and such total disability from such injury should thereafter cease, the Board may, in its discretion, continue him on the disability roll until such time as, in the judgment of the Board, he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. (c). No disability allowance shall be made by the Board until after satisfactory proof has been made to the Board of total disability by certificate of at least one licensed and practicing physician or surgeon. The Board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The Board may from time to time require further such certificates and other proof to determine whether total disability still exists. (d). Resumption of active duty by an employee member after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of the system, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability. (e). If any disability beneficiary should become separated from the service and withdraw his contributions his right to continuance of disability benefits shall immediately cease. (f). For the purpose of computing disability pay, an employee shall be deemed to earn, or to have earned, salary at the same rate of salary as that which shall be deemed to earn, or to have earned, salary for the purpose of deductions from salary under Section 9.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The Call—May 28, June 4, 11, 18, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Personally appeared before me, the undersigned authority, Mrs. J. Paul Ward, who first being duly sworn by me, deposes and says on oath that she is the Editor & Manager for The Weekly Call, a weekly newspaper published in said State and County, and that the notice, a true copy of which is hereto attached, was published in The Weekly Call, once a week for 4 consecutive weeks, commencing on the 28th day of May, 1949.

MRS. J. PAUL WARD.

Subscribed and sworn to before me on this the 20th day of June, 1949.

MOLLIE DAFFIN,
Notary Public.

Also:

By Mr. Pinson:

H. 190. To make an appropriation for the support and maintenance of the Tuskegee Institute.

Also:

By Mr. Roberts:

H. 44. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Also:

By Mr. Sellers:

H. 191. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Also:

By Mr. Shelton:

H. 950. To provide for the appointment of acting members of boards of registrars.

Also:

By Messrs. Dumas, Sadler, Kaul, Meeks, Gibson and Beatty:

H. 1017. To amend Act No. 668, H. B. 760, approved October 8, 1947 (General Acts of 1947, pp. 509-511) entitled "An Act To provide for the registration of voters and purging registration lists in counties having a population of 300,000 or more according to the last or any subsequent federal census; and to provide for the compensation of the chairman and members of the Board of Registrars in such counties; and to provide for employment of clerical or secretarial employees under the provisions of the county Merit System Act."

Also:

By Messrs. Sadler, Dumas, Kaul, Meeks, Gibson and Beatty:

H. 1016. To repeal Section 56 of Title 17 of the Code of Alabama (1940), which relates to the compensation of registrars in counties having a population of more than 300,000.

Also:

By Mr. Pinkston:

H. 810. To make it lawful for any party of whom a bond, undertaking, or other obligation is required, to agree with his surety or sureties for the joint control of any deposit of moneys and assets for which the principal and his surety or sureties are or may be held responsible.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1024, 1037, 474, 863, 1034, 1033, 1032, 1030, 1029, 1028, 1027, 1022, 1020, 1018, 984, 1009, 1012, 1013, 1036, 1015, 986, 1019, 1017, 1016. To the Committee on Local Legislation.

The bill, H. B. 1024, was read a first time at length as required by the Constitution.

H. B. 1010. To the Committee on Local Legislation.

The above bill was read a first time at length as required by the Constitution.

H. B.'s 190, 44, and 191. To the Committee on Finance and Taxation.

H. B.'s 950 and 810. To the Committee on Judiciary.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 579. Relating to Conecuh County: To fix the compensation of members of the County Board of Education.

Also:

S. 597. To provide additional compensation for the Secretary of the Senate and the Clerk of the House for the performance of the new, extra, and additional duties imposed upon them by Act No. 27, S. B. 30, approved May 31, 1949.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

S. 59. To regulate lobbying and the activities of lobbyists, legislative agents, and organizations engaged in lobbying; requiring registration of lobbyists and legislative agents; requiring the payment of registration fees, the keeping of certain accounts and records, and the filing of reports and financial statements; and prescribing penalties for violations of the Act.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 59

A BILL
TO BE ENTITLED
AN ACT

To regulate lobbying and the activities of lobbyists, legislative agents, and organizations engaged in lobbying: requiring registration of lobbyists and legislative agents; requiring the payment of registration fees, and the filing of reports and financial statements; and prescribing penalties for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. As used in this Act, the term "legislative agent" or "lobbyist" means an individual who is employed by a person, group of persons, firm, association, or corporation, or by a state board, bureau, department, institution, or other agency, or by a political subdivision of the State, to engage in promoting, advocating, opposing, influencing, or attempting to influence the decision on any matter pending before either house of the Legislature or any committee thereof, or any matter which might legally come before either house of the Legislature or any committee thereof, by personal solicitation or otherwise, for pay or any consideration, reward, or hope thereof. The term "advocating", "promoting" or "opposing," includes any act performed directly or indirectly for the purpose of influencing a member of the Legislature of Alabama to vote for or against or to use his influence for or against any matter pending, or which might legally come before either house of the Legislature or any committee thereof. The term "lobbying" means the practice of advocating, promoting, or opposing legislation, which term as used herein means any matter pending or proposed in the Legislature of Alabama.

Section 2. Persons Excepted. This Act shall not apply to any person who confines his lobbying activities to written communications to, or formal appearances before a legislative committee to which a matter has been duly referred, provided such person clearly identifies himself in writing to the committee and furnishes the committee with a statement concerning each person, firm, association, corporation, or other interest represented by him. The Act shall not apply to any person whose contact with the Legislature is limited to furnishing information at the request of a legislator or a legislative committee regarding a matter pending before either house of the Legislature or a committee thereof. It shall not apply to any public official or employee of a governmental agency or department who appears formally before a legislative committee in his official capacity to support or oppose any measure under consideration. And it shall not apply to a political committee as defined in the Federal Corrupt Practices Act or the State's Corrupt Practices Act.

Section 3. Registration. (a) Every Legislative agent and lobbyist shall before entering upon his employment as such or within one week from the effective date of this Act, file with the Secretary of State, on forms provided by that office, a sworn statement containing the following information: 1) the name,

age, and sex of the applicant, his place of residence, and his business address; 2) the name of each person, firm, corporation, association, group of persons, institution, or governmental agency of which he is an employee, together with the title of the position or positions held, and the business address of, and principal business engaged in by each of his employers; 3) the precise nature of the legislation in which he and his principal are primarily interested.

(b) Each registrant under this Act shall, within one week, furnish the Secretary of State with information concerning any change, modification, or addition to his employment.

(c) The Secretary of State shall record in his office the information required of registrants by this Section and prepare and furnish copies of such records to all members of the Legislature. Such records shall be open to public inspection at the office of the Secretary of State during regular business hours.

Section 4. Certification to Legislators. On the first day of each session of the Legislature, the Secretary of State shall certify to each member of the Legislature the name, and address of each registered lobbyist or legislative agent, as well as the name of the person, firm, association, corporation, or agency by whom he is employed and a copy of the information which the lobbyist or legislative agent has filed in his office. The Secretary of State shall make a certificate concerning any new registrant within one week after his registration and qualification.

Section 5. Certificates Issued to Lobbyists. Upon application and payment of the fee provided for in Section 6, the Secretary of State shall issue to each registrant a certificate showing the name and business address of the person to whom such certificate is issued. Certificates issued by the Secretary of State in accordance with the provisions of this Act shall be prima facie evidence of compliance with the registration requirements hereof.

Section 6. Registration Fees. Before the Secretary of State issues to any person a certificate of registration under this Act, he shall collect from the applicant, except those applicants representing boards, departments, or agencies of the State of Alabama or political subdivisions thereof, the sum of twenty-five (\$25) as a fee for registration and the issuance of a certificate. The registration fee shall be due and payable to the Secretary of State at the time the application for registration is filed. On or before December 31 of each year each registrant shall renew his registration by paying twenty-five (\$25) to the Secretary of State. All money received from registration fees shall be paid into the State treasury, and shall be credited to the general fund.

Section 7. Records of Lobbyist. Each registrant under this Act shall, between the first and tenth day of each calendar year, so long as his activity continues, file with the Secretary of State a report under oath of the total sum of money received and expended by him during the preceding calendar year in carrying

on his work, and the title or designation of such legislation as he is employed to support or oppose.

Section 8. Financial Transactions Between Lobbyists and Legislators. Any legislative agent or lobbyist who, in his capacity as such, has any financial transaction with any member of the Legislature of Alabama, shall, within five days from the date thereof, file a sworn statement of the transaction with the Secretary of State, giving in detail the nature of the transaction, together with the name of the member of the Legislature. Upon receipt of any such statement, it shall be the duty of the Secretary of State to furnish forthwith a copy thereof to the member of the Legislature mentioned therein.

Section 9. Contingent Employment of Lobbyists Prohibited. No person shall be employed as a legislative agent or lobbyist for a compensation dependent upon the passage, amendment, or defeat of any legislation, or upon any other contingency connected with the action of either house of the Legislature or any committee thereof.

Section 10. Method of Filing Statements. A statement required by this Act to be filed with the Secretary of State shall be deemed to be properly filed when it is deposited in a post office within the prescribed time, duly stamped, registered, and directed to the Secretary of State of Alabama, Montgomery, Alabama. In the event it is not received, a duplicate of such statement shall be promptly filed upon notice of its nonreceipt.

Section 11. Penalties. (a) Any person who violates any provision of this Act is guilty of a misdemeanor and, upon conviction, shall be fined not less than two hundred (200) nor more than one thousand dollars (\$1,000) or imprisoned for not less than three months nor more than one year, or fined and imprisoned.

(b) Any organization that violates any provision of this Act shall forfeit to the State of Alabama as a penalty one thousand dollars (\$1,000), which penalty shall be recovered for the State in an action brought by the Attorney General.

(c) It shall be the special duty of the Attorney General of Alabama to enforce this Act and to prosecute all persons and organizations violating the same.

Section 12. Severability. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the remainder.

Section 13. Effective Date. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And on motion of Mr. Patterson, said substitute was laid on the table.

Mr. Patterson then offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 59

A BILL
TO BE ENTITLED
AN ACT

To regulate lobbying and the activities of lobbyists, legislative agents, and organizations engaged in lobbying; requiring registration of lobbyists and legislative agents; requiring the payment of registration fees, and the filing of reports and financial statements; and prescribing penalties for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. (a) As used in this Act, the term "legislative agent" or "lobbyist" means an individual who is employed by a person, group of persons, firm, association, or corporation, or by a state board, bureau, department, institution, or other agency, or by a political subdivision of the State, to engage in promoting, advocating, opposing, influencing, or attempting to influence the decision on any matter pending before either house of the Legislature or any committee thereof, or any matter which might legally come before either house of the Legislature or any committee thereof, by personal solicitation or otherwise, for pay or any consideration, reward, or hope thereof. The term "advocating," "promoting," or "opposing," includes any act performed directly or indirectly for the purpose of influencing a member of the Legislature of Alabama to vote for or against or to use his influence for or against any matter pending, or which might legally come before either house of the Legislature or any committee thereof. The term "lobbying" means the practice of advocating, promoting, or opposing legislation, which term as used herein means any matter pending or proposed in the Legislature of Alabama. Provided, however, that any person or group of persons who appear formally before a committee or sub-committee of the Legislature for or against any measure or to give information in regard to any measure, whether such persons expenses or per diem allowance are paid by someone else or not, shall not be deemed lobbyists under the terms of this Act.

(b) No contributions or dues paid to a trade organization or any other firm, corporation, institution or organization which is not primarily engaged in the business of lobbying, or which said dues and/or contributions are not primarily made for the purpose of lobbying, shall be considered in any wise made for the purpose of lobbying under this Act.

Section 2. Persons Excepted. This Act shall not apply to any person who confines his lobbying activities to written communications to a member or members of the Legislature, or formal appearances before a legislative committee to which a matter has been duly referred. This Act shall not apply to a person writing or appearing formally before a committee in a representative

capacity who states the person, firm, association, corporation, or other interest represented by him. This Act shall not apply to any person whose contact with the Legislature is limited to furnishing information at the request of a legislator or a legislative committee or sub-committee regarding any matter pending before either house of the Legislature or a committee thereof. It shall not apply to any public official or employee of a governmental agency or department who appears formally before a legislative committee in his official capacity to support or oppose or give information on any measure under consideration. It shall not apply to any person or group of persons seeing any member of the Legislature or appearing before any committee thereof on their own behalf. It shall not apply to a political committee as defined in the Federal Corrupt Practices Act or the State's Corrupt Practices Act.

Section 3. Registration. (a) Every Legislative agent and lobbyist shall before entering upon his employment as such or within one week from the effective date of this Act, file with the Secretary of State, on forms provided by that office, a sworn statement containing the following information: 1) the name, age, and sex of the applicant, his place of residence, and his business address; 2) the name of each person, firm, corporation, association, group of persons, institution, or governmental agency of which he is an employee, together with the title of the position or positions held, and the business address of, and principal business engaged in by each of his employers; 3) the precise nature of the legislation in which he and his principal are primarily interested.

(b) Each registrant under this Act shall, within one week, furnish the Secretary of State with information concerning any change, modification, or addition to his employment.

(c) The Secretary of State shall record in his office the information required of registrants by this Section and prepare and furnish copies of such records to all members of the Legislature. Such records shall be open to public inspection at the office of the Secretary of State during regular business hours.

Section 4. Certification to Legislators. On the first day of each session of the Legislature, the Secretary of State shall certify to each member of the Legislature the name and address of each registered lobbyist or legislative agent, as well as the name of the person, firm, association, corporation, or agency by whom he is employed and a copy of the information which the lobbyist or legislative agent has filed in his office. The Secretary of State shall make a certificate concerning any new registrant within one week after his registration and qualification.

Section 5. Certificates Issued to Lobbyists. Upon application and payment of the fee provided for in Section 6, the Secretary of State shall issue to each registrant a certificate showing the name and business address of the person to whom such certificate is

issued. Certificates issued by the Secretary of State in accordance with the provisions of this Act shall be prima facie evidence of compliance with the registration requirements hereof.

Section 6. Registration Fees. Before the Secretary of State issues to any person a certificate of registration under this Act, he shall collect from the applicant, except those applicants representing boards, departments, or agencies of the State of Alabama or political subdivisions thereof, the sum of twenty-five dollars (\$25) as a fee for registration and the issuance of a certificate. The registration fee shall be due and payable to the Secretary of State at the time the application for registration is filed. On or before December 31 of each year each registrant shall renew his registration by paying twenty-five dollars (\$25) to the Secretary of State. All money received from registration fees shall be paid into the State treasury and shall be credited to the general fund.

Section 7. Records of Lobbyists. Each registrant under this Act shall, between the first and tenth day of each calendar year, so long as his activity continues, file with the Secretary of State a report under oath of the total sum of money, exclusive of his personal salary, received and expended by him in carrying on his work during the preceding calendar year, the title or designation of such legislation as he is employed to support or oppose, and whether or not he is still so employed, and if his employment has been terminated, and the date of such termination.

Section 8. Financial Transactions Between Lobbyists and Legislators. Any legislative agent or lobbyist who, in his capacity as such, has any financial transaction with any member of the Legislature of Alabama, shall, within five days from the date thereof, file a sworn statement of the transaction with the Secretary of State, giving in detail the nature of the transaction, together with the name of the member of the Legislature. Upon receipt of any such statement, it shall be the duty of the Secretary of State to furnish forthwith a copy thereof to the member of the Legislature mentioned therein.

Section 9. Contingent Employment of Lobbyist Prohibited. No person shall be employed as a legislative agent or lobbyist for a compensation dependent upon the passage, amendment, or defeat of any legislation, or upon any other contingency connected with the action of either house of the Legislature or any committee thereof.

Section 10. Method of Filing Statements. A statement required by this Act to be filed with the Secretary of State shall be deemed to be properly filed when it is deposited in a post office within the prescribed time, duly stamped, registered, and directed to the Secretary of State of Alabama, Montgomery, Alabama. In the event it is not received, a duplicate of such statement shall be promptly filed upon notice of its nonreceipt.

Section 11. Penalties. (a) Any person who violates any pro-

vision of this Act is guilty of a misdemeanor and, upon conviction, shall be fined not less than two hundred (200) nor more than one thousand dollars (\$1,000) or imprisoned for not less than three months nor more than one year, or fined and imprisoned.

(b) It shall be the special duty of the Attorney General of Alabama to enforce this Act and to prosecute all persons violating the same.

Section 12. Severability. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the remainder.

Section 13. Effective Date. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 15; Nays 13.

Yeas:

Messrs.:	Coleman	Henderson	Lowe	
Allen	Fite	Howle	Mize	
Boutwell	Gulledge	Kendall	Patterson	
Burnside	Hardwick	Lamberth	Swift	—15

Nays:

Messrs.:	Gaither	Langan	Russell	
Barrett	Glover	Owens	Summerlin	
Bridges	Golson	Quarles	Wright	
Cater	Hughes			—13

And said bill, S. B. 59, as thus amended by the substitute was then read a third time at length and lost.

Yeas 14; Nays 19.

Yeas:

Messrs.:	Coleman	Kendall	Patterson	
Allen	Fite	Lamberth	Patton	
Burnside	Henderson	Langan	Perry	
Clayton	Howle	Lowe		—14

Nays:

Messrs.:	Gaither	Harvey	Quarles	
Barrett	Glover	Hooton	Russell	
Boutwell	Golson	Hughes	Summerlin	
Bridges	Gulledge	Mize	Swift	
Cater	Hardwick	Owens	Wright	—19

REPORT FROM RULES COMMITTEE

Mr. Swift, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the follow-

ing House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 125. Relative to adjournment of the two Houses until Tuesday, August 16, 1949.

And said resolution was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 473. To amend section 173 of title 13 of the 1940 Code of Alabama.

Also:

H. 640. For the relief of Joel A. Bamberg. WHEREAS, Joel A. Bamberg, while in the course of his employment by the State Highway Department as a right-of-way foreman, was injured in an accident in Walker County on March 14, 1938 which resulted in his being ninety per cent blinded for industrial purposes, and WHEREAS, Joel A. Bamberg is now in need of an operation and medical care and will permanently be totally or partially disabled from earning a living.

Also:

H. 852. To abolish the office of Deputy Circuit Solicitor and County Solicitor for Baldwin County, Alabama, and to require the Circuit Solicitor of the 28th Judicial Circuit to represent the State of Alabama and Baldwin County in all ways required of the County Solicitor by law.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Lovelace, Head, Garrett, Brannan, Knight, Mathison, Black, McDanal, Dyar, Taylor (Autauga), Givhan, Martin (Dallas), Molette, Larkins, Leonard, Stone, Sullivan, Johnston, Shirley, Roberts, Still, Crocker, Harrison and Pinson:

H. 1007. To make an additional appropriation to the Department of Public Welfare of \$468,711.20 for each of the fiscal years ending September 30, 1950, and September 30, 1951, conditional upon the condition of the State Treasury and the approval of the Governor.

Also:

By Mr. Benford:

H. 896. For the relief of J. A. Watwood.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1007 and 896. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

By Mr. Hooton:

S. 148. To repeal Section 62, Title 46, of the 1940 Code of Alabama.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 33. To amend Act No. 152, H. B. 60, approved June 20, 1945 (General Acts, 1945, pp. 190-193) entitled "An Act To provide for an information, research, and bill-drafting service to members of the Legislature of Alabama, the Governor, state department and agency heads, and other persons by creating a Legislative Reference Service of the State of Alabama and a supervisory Legislative Council, to prescribe their duties and powers, and to make appropriations for their equipment, maintenance, and operation."

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Lovelace, Thompson (Pike), Richardson, Harris, Haynes (Lowndes), Shirley, Brannan, Knight, Bush, Kaul, Mason, Gillis, Nelson, McDonald, Taylor (Autauga), Malone, Taylor (Hale), McIlwain, Martin (Dallas), Larkins, Thomas, Ganey, Thagard, McGowin, Adams (Jefferson), Beatty, Meeks, Sadler, Sellers, Duffee, Adams (Dale), Wood (Bibb), Head, Pruitt, Cox, Martin, (Greene, Ramey, Ingalls, Faulk, White (Covington), Crocker, Wood (Washington), Whitcomb, Harrison, Cobb and Morring.

H. J. R. 47. Ratifying the proposed amendment to the Constitution of the United States relating to the terms of office of the President.

WHEREAS the Eightieth Congress of the United States of America, in both houses, by a constitutional majority of two-thirds thereof, has made the following proposal to amend the Constitution of the United States:

"JOINT RESOLUTION"

"Proposing an amendment to the Constitution of the United States relating to the term of office of the President.

"RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED (TWO-THIRDS OF EACH HOUSE, CONCURRING THEREIN), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

'ARTICLE

'Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

'Section 2. This Article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.'

THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA:

1. The proposed amendment to the Constitution of the United States of America as set out above is hereby ratified.

2. Certified copies of this resolution shall be forwarded by the Secretary of State to the Secretary of State of the United States, to the presiding officer of the Senate of the United States, and to the Speaker of the House of Representatives of the United States.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 47, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Constitution and Constitutional Revision and Amendments.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Roberts:

H. 827. To amend "An Act to abolish bills of exceptions in the Circuit Court and courts of like jurisdiction and all other courts of record having a full time Court Reporter and from which appeals lie directly to the Court of Appeals or the Supreme Court of Alabama in cases at law, and

to provide for the evidence to be transcribed and made a part of the record and for assignments of error on the record," approved July 12, 1943.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 827. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Miller:

H. 347. For the relief of Clifton E. Clement: making an appropriation of Thirty five hundred dollars (\$3500) to Clifton E. Clement as compensation for the loss of his leg resulting from his service with the national guard.

Also:

By Mr. McGowin:

H. 785. To amend Section 68 of Title 29 of the 1940 Code of Alabama which relates to elections to determine classification of counties as wet or dry counties.

Also:

By Mr. Lovelace:

H. 705. For the relief of Roy Lynn.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 347 and 705. To the Committee on Finance and Taxation.

H. B. 785. To the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Adams (Jefferson), Meeks, Beatty, Gibson and Sadler:

H. 1023. To amend Chapter 9, Title 15 of the Code of Alabama of 1940 relating to Bail, as amended by Act No. 199 July 8, 1949, by defining the power and authority and jurisdiction of the courts in proceedings on

forfeitures of undertakings, or Bail Bonds, by the failure of the defendant to appear as required, in all counties in this State having a population of Four Hundred Thousand (400,000) inhabitants, or more, according to the last or any subsequent Federal census; and to authorize the courts in such counties to remit, in whole or in part, the penalty of such Bail Bonds as the ends of justice may, unto the court, appear to require.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1023. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Leonard, Coburn and Ganey:

H. 194. To amend Section 20 of Title 49 of the Code of Alabama 1940, as amended by Act No. 4, General Acts of Alabama, 1943, approved May 15, 1943; and to amend Section 26 of Title 49 of the Code of Alabama 1940, as amended by Act No. 4, General Acts of Alabama, 1943, approved May 15, 1943.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 194. To the Committee on Public Welfare and Correctional Institutions.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 13. To authorize and provide for the payment of the sum of \$2,500.00 out of any funds in the State Treasury to the credit of the Highway Patrol Fund for the relief of W. A. Whitely, to reimburse him for hospital, doctor and medical bills, and for compensation for injuries received by him by reason of an accident occurring on the 29 day of June, 1939, while the said W. A. Whitely was employed by the State of Alabama as a member of the State Highway Patrol, and while he was acting in the line and scope of his employment as a patrolman.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lowe, the Senate concurred in and adopted the following House amendment to the bill, S. B. 13, the title of which is set out in the foregoing Message from the House, to-wit:

Amend S. B. No. 13 as follows:

By substituting for Section 3 thereof the following: "Section 3. This Act shall, if passed and approved by the Governor or upon its otherwise becoming law, take effect upon October 1, 1950."

Yeas 29; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Fite	Hughes	Patton	
Barrett	Gaither	Kendall	Perry	
Boutwell	Glover	Lamberth	Quarles	
Bridges	Gulledge	Langan	Russell	
Burnside	Hardwick	Lowe	Swift	
Cater	Henderson	Mize	Wright	
Clayton	Hooton			—29

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

S. 138. To amend Section 213 of Title 26, 1940 Code, as amended by Act Number 310 of the 1943 Legislature, and as further amended by Act Number 283 of the 1945 Legislature, relating to unemployment compensation.

was taken up.

The Standing Committee on Immigration, Industrial Resources and Labor reported the following substitute for the bill, to-wit:

SUBSTITUTE SENATE BILL 138

A BILL
TO BE ENTITLED
AN ACT

To amend Section 213 of Title 26, 1940 Code, as amended by Act Number 310 of the 1943 Legislature, and as further amended by Act Number 283 of the 1945 Legislature, relating to unemployment compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 213 of Title 26, 1940 Code as amended by Act Number 283 of the 1945 Legislature is amended to read as follows:

213. Benefit Eligibility Conditions. — An unemployed indi-

vidual shall be eligible to receive benefits with respect to any week only if the director finds that—

A. He has made a claim for benefits with respect to such week in accordance with such regulations as the director may prescribe.

B. He has registered for work at, and thereafter continued to report at, an employment office in accordance with such regulations as the director may prescribe, except that the director may, by regulation waive, or alter either or both of the requirements of this section as to individuals attached to regular jobs and as to such other type of cases or situations with respect to which he finds that compliance with such requirements would be oppressive, or would be inconsistent with the purposes of this chapter.

C. He is physically and mentally able to perform work of a character which he is qualified to perform by past experience or training, and he is available for such work either at a locality at which he earned wages for insured work during his base period or at a locality where it may reasonably be expected that such work may be available.

A woman shall be presumed not to be able to work and not available for work if she quits or is required to terminate her employment because of pregnancy, provided, in any event, that no woman shall be deemed to be able to work and available for work for any week during the three-month period immediately before the expected birth of her child, and for any week during the three-month period immediately following the birth of her child, in either of which cases the director may require the production of doctor's certificates to establish such dates.

D. He has been totally unemployed for a waiting period of one week (and for the purposes of this section two weeks of partial unemployment whether or not consecutive, shall be deemed to be equivalent to one week of total unemployment). No week shall be counted as a week of unemployment for the purposes of this subsection:—

(1) If benefits have been paid with respect thereto.

(2) Unless the individual was otherwise eligible for benefits with respect thereto as provided in articles 4 and 5 of this chapter.

(3) Unless it occurs within the benefit year which includes the week with respect to which he claims payment of benefits, provided that this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment.

E. He has during his base period earned wages for insured work equal to not less than the amount appearing in Column C of the table in section 207 of this title on the same horizontal line on which in Column B of that table appears his weekly benefit amount.

F. During the three weeks immediately preceding the week of unemployment the individual has worked less than one hun-

dred and sixty hours in employment and has earned total wages with respect to employment less than one hundred and eighty dollars.

Section 2. This Act shall take effect upon its passage and approval by the Governor or its otherwise becoming law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clayton	Henderson	Patton	
Allen	Coleman	Hughes	Perry	
Barrett	Fite	Lamberth	Quarles	
Boutwell	Gaither	Langan	Russell	
Bridges	Gulledge	Mize	Swift	
Burnside	Hardwick	Patterson	Wright	
Cater	Harvey			—25

Nays: —0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Fite	Kimbrell	Perry	
Barrett	Gaither	Lamberth	Quarles	
Boutwell	Gulledge	Langan	Russell	
Bridges	Hardwick	Lowe	Summerlin	
Burnside	Harvey	Mize	Swift	
Cater	Henderson	Patterson	Wright	
Clayton	Howle			—29

Nay: Mr. Hooton —1

The Bill:

S. 139. To amend Section 194 of Title 26, 1940 Code, relating to Unemployment Compensation.

was taken up.

The Standing Committee on Immigration, Industrial Resources and Labor reported the following substitute for the bill, to-wit:

SUBSTITUTE SENATE BILL NO. 139

A BILL TO BE ENTITLED AN ACT

To amend Section 194 of Title 26, 1940 Code, Relating to Unemployment Compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 194 of Title 26, 1940 Code, is amended to read as follows:

Section 194 (A)—Benefit Year: "Benefit Year" as used in this Chapter with respect to any individual, except as provided in paragraph "B" hereof, means the one year period beginning with the first day of the first week with respect to which an individual who is unemployed first files a valid claim for benefits or a claim is filed by an employer on behalf of an employee working less than full time, and thereafter the one-year period beginning with the first day of the first week with respect to which such individual next files a valid claim for benefits or such claim is filed by an employer on behalf of an employee working less than full time, after the termination of his last preceding benefit year. A claim by any such unemployed individual, or a claim filed by an employer on behalf of an employee working less than full time, made in accordance with Section 215 of this Title shall be deemed to be a "Valid claim" for the purposes of this section if the individual or such employee working less than full time for whom a claim is filed by an employer, has earned the wages for insured work required under Section 213 (E) of this Title.

(B) A benefit year shall be deemed established only if the individual shall be entitled to one or more weekly benefit checks within nine weeks from the date of filing his initial valid claim.

Section 2. This Act shall take effect only as to benefit years established after its passage and approval by the Governor or its otherwise becoming law.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Fite	Kendall	Perry	
Barrett	Gaither	Kimbrell	Quarles	
Boutwell	Gulledge	Lamberth	Russell	
Bridges	Hardwick	Langan	Summerlin	
Burnside	Harvey	Lowe	Swift	
Cater	Hooton	Mize	Wright	
Clayton	Howle	Patterson		—30

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patton	
Allen	Gaither	Kendall	Perry	
Barrett	Gulledge	Lamberth	Quarles	
Bridges	Hardwick	Langan	Russell	
Burnside	Harvey	Lowe	Summerlin	
Cater	Henderson	Mize	Swift	
Clayton	Hooton	Patterson	Wright	
Coleman	Howle			—29

Nays: —0

The Bill:

S. 140. To amend Section 214 of Title 26, 1940 Code, as amended by Act No. 310 of the 1943 Legislature, relating to unemployment compensation.

was taken up.

The Standing Committee on Immigration, Industrial Resources and Labor reported the following substitute for the bill, to-wit:

SUBSTITUTE FOR SENATE BILL 140

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 214 of Title 26, 1940 Code, as amended by Act No. 310 of the 1943 Legislature, relating to unemployment compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 214 of Title 26, 1940 Code, as amended by Act No. 310 of the 1943 Legislature, is amended to read as follows:

§ 214. Disqualification for benefits.—An individual shall be disqualified for total or partial unemployment:

A. For any week in which his total or partial unemployment is directly due to a labor dispute still in active progress in the establishment in which he is or was last employed; for the purposes of this section only, the term "labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee. This definition shall not relate to a dispute between an individual worker and his employer.

B. If he has left his employment voluntarily without good cause connected with such work. But he shall not be disqualified if:

(1) He was forced to leave work because he was sick or dis-

abled, notified his employer of that fact as soon as it was reasonably practicable so to do and returned to that employer and offered himself for work as soon as he was again able to work; provided, however, this exception shall not apply if the employer had an established leave-of-absence policy covering sickness or disability and (a) the individual fails to comply with same as soon as it is reasonably practicable so to do, or (b) upon the expiration of a leave-of-absence he shall fail to return to said employer and offer himself for work if he shall then be able to work, or, if he is not then able to work, he fails to so notify his employer of that fact and request an extension of his said leave-of-absence as soon as it is reasonably practical so to do.

In case of doubt that an individual was sick or disabled, or as to the duration of any such sickness or disability, the Director may, or if the employer requests it, the Director shall require a doctor's certificate to establish the fact or facts that is or are in doubt.

An established leave-of-absence policy shall be any leave-of-absence policy covering sickness and disability communicated to the employee by the customary means used by the employer for communicating with his employees.

(2) He left his employment and immediately took another job and thereafter was employed on said other job for not less than eight weeks. For the purpose of this subsection another job shall not include self-employment. Except this exception shall not apply if he quits his new employment voluntarily without good cause connected with his work.

C. (1) If he was discharged or removed from his work for a dishonest or criminal act committed in connection with his work or for sabotage or an act endangering the safety of others, or for actual or threatened deliberate misconduct after written warning to the individual.

(2) For the week in which he has been discharged for misconduct connected with his work (other than acts mentioned in subsection (1) of this subdivision) and for not less than the three nor more than the six next following weeks as determined by the director in each case according to the seriousness of the conduct.

(3) For the week or weeks (not to exceed four weeks) in which or for which he has been suspended as a disciplinary measure connected with his work, or for misconduct connected with his work.

D. (1) When an individual is disqualified for benefits under subsection B or C (1) of this section, he shall not thereafter be entitled to any benefits under this Chapter on account of wages paid to him for the period of employment by the employer by whom he was employed when the disqualifying event occurred, and, provided further, that for the purposes of the experience rating provisions of Section 204 of this Title no portion of such

wages shall be determined to be employee's or employer's benefit wages for any benefit year or base period.

(2) When an individual is disqualified for benefits under subsections C (2), C (3) and E of this section the total amount of benefits to which he may otherwise be entitled as determined in accordance with section 209 of this title shall be reduced by an amount equal to the product of the number of weeks for which he shall be disqualified under subsections C (2), or C (3) and E of this section multiplied by his weekly benefit amount.

E. If he fails, without good cause, either to apply for or to accept available suitable work or to return to his customary self employment when so directed by the director, or when he is notified of suitable work or it is offered him through a state employment office or the United States Employment Service, or directly or by written notice or offer to any such employment office or employment service by an employer by whom the individual was formerly employed. Such disqualification shall continue until the individual has accepted employment and has earned wages in such employment amounting to twenty times the individual's weekly benefit amount (or the equivalent thereof, as determined by the director if the individual has returned to his customary self-employment).

(1) In determining whether or not any work is suitable for an individual, the director shall consider the degree of risk involved to his health, safety, and morals, his physical fitness, and prior training, his experience and prior earnings, his length of unemployment and prospects for securing local work in his customary occupation, and the distance of the available work from his residence; provided that no work or employment shall be deemed unsuitable because of its distance from the individual's residence, if such work or employment is in the same or substantially the same locality as was his last previous regular place of employment and if the employee left such employment voluntarily without good cause connected with such employment.

(2) Notwithstanding any other provisions of this chapter, no work shall be deemed suitable and benefits shall not be denied under this chapter to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

(a) If the position offered is vacant due directly to a strike, lockout, or other labor dispute;

(b) If the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;

(c) If as a condition of being employed the individual would be required to join a company union, or to resign from or refrain from joining any bona fide labor organization.

F. For any week with respect to which he is receiving or has received remuneration in the form of wages in lieu of notice, or a dismissal or separation allowance.

G. For any week with respect to which or a part of which he has received or is seeking unemployment benefits under this chapter of any other state or of the United States; provided, that if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits this disqualification shall not apply.

H. For any week with respect to which he has received or is receiving any payment by way of compensation for the loss of wages through an employee pension plan; provided, however, that if such remuneration is less than the benefits which would otherwise be due under this chapter, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration.

I. In any week with respect to which he has received or is receiving remuneration in the form of

(1) Compensation under the Workmen's Compensation Law of Alabama or of any other state or under a similar law of the United States;

(2) Payments in the form of a primary insurance benefit under Title II of the Social Security Act, as amended, or similar payments under any act of Congress or the law of any state.

Provided that if such workmen's compensation or primary insurance payments are less than the benefits which would otherwise be due under this chapter, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such payments.

J. For any week that such individual is engaged or employed by the works progress administration, the national youth administration, or any federal or state unit, agency or instrumentality in charge of public works, assistance through public employment, or work relief.

K. For any week in which he is self-employed and each week thereafter until he shall establish that he is no longer self employed.

Section 2. This act shall become a law upon its passage and approval by the Governor or its otherwise becoming a law.

Mr. Swift offered the following amendment to the substitute for the bill, to-wit:

Amend Section 1 of Substitute for Senate Bill No. 140 by adding at the end of Sub-Section One (1) of Section "B", the following: "Provided, however, that nothing herein shall be construed or interpreted as authorizing the payment of benefits to any person during or for unemployment due to sickness or disability."

Which was adopted.

Mr. Swift then offered the following amendment to the substitute, as amended, for the bill, to-wit:

Amend Section 1 of Substitute for Senate Bill No. 140 as amended by striking Sub-Section Two (2) of Section "B".

And on motion of Mr. Mize, said amendment was laid on the table.

Yeas 16; Nays 14.

Yeas:

Messrs.:	Gaither	Kimbrell	Patterson	
Allen	Hardwick	Lamberth	Patton	
Boutwell	Harvey	Langan	Perry	
Bridges	Howle	Mize	Russell	
Fite				—16

Nays:

Messrs.:	Glover	Hooton	Summerlin	
Barrett	Golson	Hughes	Swift	
Cater	Gulledge	Lowe	Wright	
Coleman	Henderson	Quarles		—14

And said substitute, as thus amended, was then adopted.

Yeas 23; Nays 4.

Yeas:

Messrs.:	Coleman	Kendall	Patton	
Allen	Fite	Kimbrell	Perry	
Barrett	Hardwick	Lamberth	Quarles	
Boutwell	Harvey	Langan	Russell	
Bridges	Henderson	Mize	Swift	
Cater	Howle	Patterson	Wright	—23

Nays:

Messrs.:	Golson	Gulledge	Summerlin	
Glover				—4

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 10.

Yeas:

Messrs.:	Fite	Kimbrell	Patton	
Allen	Gaither	Lamberth	Perry	
Barrett	Hardwick	Langan	Quarles	
Boutwell	Harvey	Mize	Russell	
Coleman	Howle	Patterson		—18

Nays:

Messrs.:	Golson	Hooton	Summerlin	
Cater	Gulledge	Kendall	Swift	
Glover	Henderson	Lowe		—10

Mr. Lowe moved that the Senate do now adjourn until 10:00 A. M. Tuesday, August 16, 1949, which motion was lost.

Yeas 13; Nays 19.

Yeas:

Messrs.:	Glover	Lowe	Summerlin	
Bridges	Golson	Perry	Swift	
Coleman	Henderson	Quarles	Wright	
Gaither	Hughes			—13

Nays:

Messrs.:	Cater	Hooton	Langan	
Allen	Fite	Howle	Mize	
Barrett	Gulledge	Kendall	Patterson	
Boutwell	Hardwick	Kimbrell	Patton	
Burnside	Harvey	Lamberth	Russell	—19

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Faulk, Taylor (Autauga) and Larkins:

H. 592. To amend Section 94, Title 51, Code of Alabama, as amended which relates to the term of service and compensation for members of the county board of equalization, and to provide for a chairman.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 592. To the Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Bill:

H. 713. To authorize any city to establish a sinking fund for the payment of any of its unmatured bonds and to issue to and place in such sinking fund refunding bonds issued to refund such unmatured bonds and to regulate the maturities of such refunding bonds and the rate of interest to be paid thereon and to provide for the appointment of a trustee to hold such sinking fund and to grant such trustee power to invest and administer such sinking fund.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize
Allen	Glover	Howle	Patterson
Barrett	Golson	Kendall	Patton
Boutwell	Gulledge	Lamberth	Quarles
Burnside	Hardwick	Langan	Russell
Cater	Henderson	Lowe	Wright
Clayton			

—24

Nays:

—0

The Bill:

S. 552. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection and construction of hospitals within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest bearing bonds in the amount not to exceed \$5,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday, after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

was taken up.

The Standing Committee on Constitution and Constitutional Revisions and Amendments reported the following substitute for the bill, to-wit:

SUBSTITUTE FOR SENATE BILL 552

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection and construction of hospitals within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest bearing bonds in the amount not to exceed \$5,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of

Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

AMENDMENT

“(a) Notwithstanding anything contained in the Constitution of the State of Alabama, or any amendment thereto heretofore adopted, the Governor shall from time to time issue negotiable interest bearing bonds for the purposes and in the manner and subject to the limitations stated in this amendment. The bonds shall be the general obligation of the State of Alabama and the full faith and credit and taxing power of the State are hereby pledged to the punctual payment of the bonds and the interest thereon. The aggregate principal amount of the bonds shall not exceed \$5,000,000 and they shall mature within ten years from the date of issuance. The proceeds from the sale of such bonds are hereby appropriated and shall be used solely for the construction of hospitals and hospital facilities under Act No. 211, A. 107, approved July 7, 1945 (General Acts of Alabama, 1945, page 330), or any act supplemental thereto or amendatory thereof; provided, that the funds provided hereby shall be used only for the construction of hospitals, clinics, or health centers under contracts which have been or are let on or after May 1, 1949, and that the funds shall be used to match federal funds available for hospital, clinic or health center purposes, and that the local governments in the area where each hospital, clinic or health center is to be built shall contribute at least as much money for the construction as does the State; and provided further that the State shall not contribute more than three hundred fifty thousand dollars (\$350,000) to the construction of any one hospital, clinic or health center. In determining where a hospital, clinic or health center to be constructed with the funds appropriated herein shall be located, first consideration shall be given to communities which have no hospital, clinic or health center facilities. Each county having no hospital, clinic or health center facilities shall be entitled to an allotment of not less than sixty thousand dollars (\$60,000) for such facilities if application is made therefor before January 1 of each year. Any funds available for hospital, clinic or health center facilities remaining on January 1 of each year after allotments have been made to those counties having no such facilities and having not already received an allotment and which have made application therefor may be allotted to those counties having such facilities which have made application therefor. However, counties receiving prior allotments hereunder shall not be precluded from receiving a larger allotment or an additional allotment at the discretion of the State Board of Health. District tuberculosis sanatoria in the districts set up in Act No. 287, S. 22, approved July 7, 1945, but otherwise under the provisions of Act No. 211, S. 107, approved July 7, 1945 (General Acts of Alabama,

1945, page 330) or any act supplemental thereto, shall be eligible for construction under the provisions of this Amendment. A sum not to exceed forty thousand dollars (\$40,000) may be used by the State Board of Health for hospital administration for each of the two (2) years ending in 1950, and 1951; this appropriation shall be cumulative.

“(b) All bonds issued hereunder and the interest thereon shall be payable from any funds in the state treasury not otherwise appropriated. The bonds shall be payable in substantially equal installments of principal and interest beginning in the next fiscal year after their date; they shall bear interest at a rate not exceeding two per cent per annum payable semi-annually; and they shall contain a provision for their call for payment at such a time or times prior to maturity, and at such a premium, if any, as the Governor may prescribe. All bonds issued hereunder shall be sold to the highest bidder at a duly advertised public sale, on sealed bids or at auction, and shall not be sold for less than par and accrued interest; provided, bidders may be invited to name the rate of interest which the bonds are to bear, in which case the bonds shall not be sold at a price which would yield more than two percent according to standard bond tables, taking into account the discount and call privilege.”

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

On motion of Mr. Kendall, said substitute was laid on the table.

Mr. Kendall offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR SENATE BILL 552

A BILL TO BE ENTITLED AN ACT

To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection and construction of hospitals within the State; and to that end to

authorize the Governor of Alabama to issue and sell negotiable interest bearing bonds in the amount not to exceed \$2,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

Amendment

“(a) Notwithstanding anything contained in the Constitution of the State of Alabama, or any amendment thereto heretofore adopted, the Governor shall from time to time issue negotiable interest bearing bonds for the purposes and in the manner and subject to the limitations stated in this amendment. The bonds shall be the general obligation of the State of Alabama and the full faith and credit and taxing power of the State are hereby pledged to the punctual payment of the bonds and the interest thereon. The aggregate principal amount of all bonds issued hereunder shall not exceed two million dollars (\$2,000,000) and they shall mature within ten years from the date of issuance.

“The proceeds from the sale of such bonds are hereby appropriated and shall be used solely for the construction of hospitals and hospital facilities pursuant to Act No. 211, S. 107, approved July 7, 1945 (General Acts of Alabama, 1945, page 330), or any act supplemental thereto or amendatory thereof; provided, that the funds appropriated hereby shall be used only for the construction of hospitals, clinics, or health centers under contracts which have been or are let on or after May 1, 1949, and that the funds shall be used to match federal funds available for hospital, clinic or health center purposes, and that the local governments in the area where each hospital, clinic or health center is to be built shall contribute at least as much money for the construction as does the State; and provided further that the State shall not contribute more than three hundred fifty thousand dollars (\$350,000) to the construction of any one hospital, clinic or health center.

“In determining where a hospital, clinic or health center to be constructed with the funds appropriated herein shall be located, first consideration shall be given to communities which have no hospital, clinic or health center facilities. Each county having no hospital, clinic or health center facilities shall be en-

titled to an allotment of not less than sixty thousand dollars (\$60,000) for such facilities if application is made therefor before January 1 of each year. Any funds available for hospital, clinic or health center facilities remaining on January 1 of each year after allotments have been made to those counties having no such facilities and having not already received an allotment and which have made application therefor may be allotted to those counties having such facilities which have made application therefor. However, counties receiving prior allotments hereunder shall not be precluded from receiving a larger allotment or an additional allotment at the discretion of the State Board of Health.

"District tuberculosis sanatoria in the districts set up in Act No. 287, S. 22, approved July 7, 1945, shall be eligible for construction under the provisions of this Amendment, and 25 percent of the proceeds from the sale of bonds authorized by this Amendment shall be reserved for the construction of tuberculosis sanatoria; provided, at the end of each calendar year funds not obligated for either general or tuberculosis hospital construction may be used during the next year for either type construction; and provided further, that the local governments or authorities in the area where the sanatorium is to be built shall contribute at least as much money as does the State. A sum not to exceed forty thousand dollars (\$40,000) may be used by the State Board of Health for hospital administration for each of the two (2) years ending in 1950, and 1951; this appropriation shall be cumulative.

"(b) All bonds issued hereunder and the interest thereon shall be payable from any funds in the state treasury not otherwise appropriated. The bonds shall be payable in substantially equal installments of principal and interest beginning in the next fiscal year after their date; they shall bear interest at a rate not exceeding two percent per annum payable semi-annually; and they shall contain a provision for their call for payment at such a time or times prior to maturity, and at such a premium, if any, as the Governor may prescribe. All bonds issued hereunder shall be sold to the highest bidder at a duly advertised public sale, on sealed bids or at auction, and shall not be sold for less than par and accrued interest; provided, bidders may be invited to name the rate of interest which the bonds are to bear, in which case the bonds shall not be sold at a price which would yield more than two percent according to standard bond tables, taking into account the discount and call privilege."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amend-

ment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

And said substitute was then adopted by the Senate.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Glover	Howle	Patterson	
Allen	Golson	Kendall	Patton	
Barrett	Gulledge	Lamberth	Quarles	
Boutwell	Hardwick	Langan	Russell	
Burnside	Harvey	Lowe	Swift	
Cater	Henderson	Mize	Wright	
Clayton	Hooton			—25

Nays: —0

And said bill, as thus amended by the substitute, was then read a third time at length as required by the Constitution and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Glover	Kendall	Patton	
Barrett	Gulledge	Lamberth	Quarles	
Boutwell	Hardwick	Langan	Russell	
Burnside	Harvey	Lowe	Swift	
Cater	Henderson	Mize	Wright	
Clayton	Hooton			—25

Nays: —0

Mr. Howle moved that the Senate do now adjourn until Tuesday, August 16, 1949, at 10:00 A. M., which motion was lost.

Yeas 19; Nays 16.

Yeas:

Messrs.:	Glover	Lamberth	Lowe	
Barrett	Golson	Langan	Quarles	
Coleman	Howle			—9

Nays:

Messrs.:	Clayton	Hooton	Patton	
Allen	Gulledge	Kendall	Russell	
Boutwell	Hardwick	Mize	Swift	
Burnside	Henderson	Patterson	Wright	
Cater				—16

The Bill:

H. 351. To provide for absentee voting in primary, general, special and municipal elections: prescribing penalties for violations of the Act and repealing conflicting laws.
was taken up.

The Standing Committee on Privileges and Elections reported the following substitute for the bill, to-wit:

SUBSTITUTE H. B. 351

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 4, 4 (a), and 6 of Act No. 478, S. 214, approved July 7, 1945 (General Acts of Alabama, 1945, page 711) entitled "An Act To provide for absentee voting in primary, general, and municipal elections; and to prescribe penalties for the violation of any of the provisions of this Act."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 478, S. 214, approved July 7, 1945 (General Acts of Alabama, 1945, page 711), entitled "An Act To provide for absentee voting in primary, general, and municipal elections; and to prescribe penalties for the violation of any of the provisions of this Act," is amended to read: "The judge of probate, or person authorized hereby to act in his stead when he is disqualified, of any county in this State, upon written application of any qualified voter of the county, appearing in person before the judge of probate, not more than twenty days and not less than five days before any primary, general, or municipal election is to be held in this State, shall deliver immediately to such applicant an official ballot and printed form of oath as herein provided for, with an envelope addressed to the official hereinafter designated and authorized to receive the same. In any such primary, general, or municipal election, when the judge of probate is a candidate for any office, he shall be disqualified from performing any of the duties in reference to the handling of absentee ballots which are herein imposed upon him, and all such duties shall be performed by the sheriff of said county. In the event the said sheriff is also a candidate in such election, the judge of probate shall, at least sixty-five days prior to the date of the election, certify said facts to the presiding judge of the circuit in which such county is located, and within five days thereafter such circuit judge shall appoint a qualified elector of such county, who is not a candidate for any office, to perform such duties. The sheriff, or, in the event he is disqualified as herein provided, the person so appointed by the circuit judge, is hereby authorized to perform all of the duties, with reference to the handling of the

absentee ballots, herein required to be performed by the judge of probate."

Section 2. Section 4 (a) of Act No. 478, S. 214, approved July 7, 1945 (General Acts of Alabama, 1945, page 711), entitled "An Act To provide for absentee voting in primary, general, and municipal elections; and to prescribe penalties for the violation of any of the provisions of this Act," is amended to read: "Every application for an absentee ballot must be made by the voter appearing in person and signing the same in the presence of the probate judge, or other person authorized herein to act in his stead when he is disqualified. The absentee voter shall be identified properly by the probate judge before whom he appears as being the person he claims to be, and every absentee voter shall certify in writing in addition to any other information required herein, his residence address, his business address, his occupation, and the name of his employer."

Section 3. Section 6 of Act No. 478, S. 214, approved July 7, 1945 (General Acts of Alabama, 1945, page 711), entitled "An Act To provide for absentee voting in primary, general, and municipal elections; and to prescribe penalties for the violation of any of the provisions of this Act," is amended to read: "The absentee voter, who under the provisions of this Act is authorized to vote an absentee vote and whose name at the time he applies for such ballot is on the official list of qualified electors in such county, may procure from the judge of probate of the county of his residence, or the person acting in his stead, an official ballot for use in such election. Such voter shall make and subscribe to the oath or affidavit hereinafter set out, which shall be attached to his ballot, and deliver the ballot and affidavit in a sealed envelope in person to: 1) the probate judge of the county in which such voter resides if the election is a general election; 2) the chairman of the county executive committee of the party holding the primary election; 3) the mayor or other chief executive of the municipality if the election is a municipal election; and thereafter the ballot shall not be withdrawn or changed. The official receiving the ballot shall endorse on the envelope over his signature, which shall be written across the sealed portion of the envelope, the date and hour of the receipt thereof by him; he shall safely keep the ballot without breaking the seal of the envelope and deliver the same on election day to the election officials appointed for the purpose of counting such votes. If the name of such absentee voter appears on the official list of qualified voters of the county, and if the envelope containing the absentee vote was marked received by the proper official not less than five days prior to election day, the election officers shall check his name off the official voting list and cause the ballot to be duly and properly recorded. All votes found to be legal votes shall be handled in all respects as if the absentee voter were present and voting in person and the official shall, after it has passed upon

and counted the votes, make a certificate of results as to the number of absentee votes received for each candidate whose name is on the ballot, which certificate shall be signed and forthwith to the person or persons authorized by law to receive the same for canvassing the returns of the election."

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Patton, the committee substitute for the bill was laid on the table.

Mr. Patterson then offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR H. B. NO. 351

A BILL
TO BE ENTITLED
AN ACT

To provide for absentee voting in primary, general, special, and municipal elections: prescribing penalties for violations of the Act and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply to all primary, general, special, and municipal elections held in the State of Alabama.

Section 2. Any qualified elector of this State, whose name, at the time of any primary, general, special, or municipal election, appears on the official list of qualified voters in any county of the State or who makes a challenged voter's oath or who presents a proper certificate from the judge of probate showing that he is a qualified elector whose regular business or occupation regularly requires that he be absent from the county, and who may, at any primary, general, special, or municipal election held pursuant to law in this State, by reason of his regular business or occupation and in the performance of the duties thereof, be absent from the State, or from the county in which he is a qualified elector, may vote in such primary, general, special, or municipal election in the manner and under the regulations hereinafter prescribed, with like effect as if he were casting his vote in person at his regular and proper voting place.

Section 3. Not less than twenty-one days prior to the holding of any election to which this Act pertains, the officer charged with the printing and distribution of the official ballots and election supplies shall cause to be delivered, to the register in chancery of each county in which the election is held, or the person designated to serve in his stead as provided in Section 4 of this Act, a sufficient number of the absentee ballots and the envelopes

hereinafter provided for and other necessary election supplies. In the event the register is a candidate in the election, he shall, immediately upon receipt of such ballots and envelopes and supplies, deliver the same to the person herein authorized to act in his stead.

Section 4. (a) In any election to which this Act pertains, when the register is a candidate for any office, he shall be disqualified from performing any of the duties in reference to the handling of absentee ballots which are herein imposed on him. The register shall, at least thirty days prior to the date of the election, certify his candidacy or that he is disqualified to so serve or that he is otherwise prevented from serving to the presiding circuit judge of the county. Thereupon, the judge shall appoint a person qualified by training and experience and who is a qualified elector of the county and who is not a candidate in the election to perform the duties of the register as prescribed by this Act and designate the place or office where said duties shall be performed. Any person so appointed shall have all the powers, duties, and responsibilities of the register under this Act and shall be designated and known as an "absentee election manager."

(b) Any person so appointed to serve as "absentee election manager" when the register of the circuit court is disqualified, is authorized and empowered to administer oaths under this Act and shall have all other powers and shall perform the duties and have the same responsibilities of the register of the circuit court under this Act, and shall be entitled to the same compensation provided for by Section 17 of this Act. Said person's duties shall terminate at the end of election day.

Section 5. The official absentee ballots for any election to which the Act pertains shall be in the same form as the official regular ballots for the election, except that they shall bear printed thereon the words "Official Absentee Ballots" and except that there shall be printed thereon one of the affidavit forms herein required. Further, each absentee ballot shall be in duplicate, the intent of this provision being that every absentee voter under this Act shall submit two copies of his completed ballot, one original and one carbon.

Section 6. The form of the affidavit which shall be printed on absentee ballots used in general and municipal elections shall be:

"State of Alabama

.....County

Before me, the undersigned authority, personally appeared, who is (made) known to me and who, being first duly sworn, deposes and says: I am a bona fide resident and qualified elector of precinct..... and box No. in the County of, State of Alabama. I have not voted in the election to be held on, 19....., and I am entitled to vote therein. My regular business or occupa-

tion regularly requires my absence from the county of my residence, and I will be absent from the county on the day of the election because of my regular business or occupation and in the performance of the duties thereof.

(Signature of voter)

Sworn to and subscribed before me this _____ day of _____, 19____. I certify that the affiant is known (or made known) to me to be the identical party he claims to be.

(Signature of official)

”

(Title of official)

Section 7. The form of the affidavit which shall be printed on absentee ballots used in primary elections shall be:
“State of Alabama

_____ County

Before me, the undersigned authority, personally appeared _____, who is (made) known to me and who being first duly sworn, deposes and says: I am a bona fide resident and qualified elector of precinct _____ and box No. _____ in the County of _____, State of Alabama. I have not voted in the primary election to be held on _____, 19____, and I am entitled to vote therein. My regular business or occupation regularly requires my absence from the county of my residence, and I will be absent from the county on the day of the election because of my regular business or occupation and in the performance of the duties thereof. I am a member of the _____ Party and subscribe to all the conditions and qualifications laid down by that party’s committee as a requisite for participation in the election.

(Signature of voter)

Sworn to and subscribed before me this _____ day of _____, 19____. I certify that the affiant is known (or made known) to me to be the identical party he claims to be.

(Signature of official)

”

(Title of official)

Section 8. With each absentee ballot, there shall be furnished to the voter two gummed envelopes, printed in the upper left corner thereof substantially as follows: “Absent Voter’s Ballot. _____ (Primary, General, Special, or Municipal, as the case may be) Election to be held on the _____ Day of _____, 19____. Name of Voter: _____, Elector of Precinct _____ Box No. _____ County of _____, State of Alabama.” One of the envelopes shall have printed in the lower right corner thereof:

"Original County Election Officials." The other envelope shall have printed in the lower right corner thereof: "Carbon for Secretary of State."

Section 9. Any prospective absentee voter who meets the requirements prescribed in Section 2, above, may, not more than twenty days and not less than five days prior to the election at which he desires to vote, present himself before the register of the county wherein the election is to be held or before the person designated to serve instead of the register. If the name of the voter is on the official list of qualified voters of the county, or if the voter makes an affidavit for a challenged vote or presents a certificate from the judge of probate, and the register is satisfied that the voter is the person he claims to be, and a member of the party in which he claims to be a member, the register shall tender the voter the duplicate absentee ballot required for this Act, including necessary carbon paper, and the required envelope, first filling in the blanks in the upper left corners thereof. The official list of qualified voters herein referred to shall be furnished the register by the probate judge or other person preparing said list at least twenty-one days before the election.

Section 10. The voter shall mark his ballot and subscribe before the register or other person designated in the register's stead to the affidavit hereinabove required without departing from the office of the register and without any assistance unless incapacitated as prescribed by law. The register then shall complete the statement and affix his signature as prescribed in Section 6 or 7, above, and return the ballot to the voter. The original of the ballot then shall be sealed by the voter in the envelope marked "Original for County Election Officials"; the carbon copy, sealed by the voter in the envelope marked "Carbon Copy for Secretary of State"; both sealed envelopes shall be given to the register. At the close of each day, the envelopes for the Secretary of State shall be placed in a larger envelope by the register and mailed by registered mail on that day to the Secretary of State, State Capitol, Montgomery, Alabama. The register shall retain the envelopes, marked "Original for County Election Officials," securely in his possession until the day of election.

Section 11. For every primary, general, special, or municipal election, there shall be appointed three managers, two clerks, and a returning officer, named and notified as are other election officials under the general laws of the State, who shall meet, at the regular time of closing of the election on that day, in the office of the judge of probate for the purpose of receiving, counting, and returning the ballots cast by absent voters. The returns from the absent box shall be made as required by law for all other boxes. It shall be unlawful for any election official or other person to publish or make known to anyone the results of the count of absentee votes before the polls close. It is provided, however, that in counties with populations of 50,000 or more,

there shall be appointed three managers, two clerks, and one returning officer for each 200 absentee ballots, or fractions thereof, cast at the election. In such counties, the appointing board for the election shall meet in the office four days before the election, determine the number of officials to be appointed, and appoint and notify them as other election officials are appointed and notified. It is provided, further, that this Section shall not apply to municipal elections, in cities and towns of less than 10,000 inhabitants, which are held at a time different from a primary or general election.

Section 12. On the morning of the day of the election, not later than the time set for closing of the polls, the register shall deliver all ballots in sealed envelopes marked "Original for County Election Officials" to the election officials provided for in Section 11. In counties with population of 50,000 or more, the register shall deliver, as nearly as may be, an equal number of ballots to each set of officials appointed to receive, count, and return them. As regards cities and towns with populations of less than 10,000 in the case of municipal elections held at a time different from a primary or general election, such ballots shall be delivered to the election officers of the precincts of the respective voters. The ballots in sealed envelopes marked "Carbon for Secretary of State" shall each day as voted be properly packaged and labeled and sent by registered mail to the Secretary of State, State Capitol, Montgomery, Alabama.

Section 13. The ballots delivered by the register to the election officials as provided by Section 12 shall be counted and disposed of and returns therefor made as regular ballots are counted and disposed of and returns therefor made under the general laws of the State.

Section 14. The packages of ballots mailed by the register to the Secretary of State shall be retained by the Secretary of State for ninety days in boxes for each County and then, unless requested as provided below, destroyed without being opened. The package may be procured and opened, and the contents thereof used, in the event of an election contest, by the officials appointed to decide the contest upon written request to the Secretary of State. In event of a contest, the ballots procured from the Secretary of State may be used in lieu of the original ballots cast at the election.

Section 15. The register shall each day post at the county courthouse on the regular bulletin or notice board, an accurate list of the names, residences, and polling places of voters voting absentee ballots on that day. Three days before the holding of any election, he shall post at the courthouse, on the regular bulletin or notice board, a complete list of the names, residences, and polling places of all voters voting absentee ballots in the election. At the time the register delivers the ballots to the election officials at the office of the Judge of Probate, he shall file a similar list

of all voters voting absentee ballots with the Probate Judge, who shall keep the same for public inspection. A copy of the list filed with the Judge of Probate shall on the same day be sent by registered mail to the Secretary of State, and Secretary of State shall keep the copy available for public inspection for 90 days.

Section 16. The register shall, before the polls open at any election, cause to be delivered to the election officers of each polling place a list showing the name and address of every person whose name appears on the official list of qualified electors for such polling places who voted an absentee ballot in the election. The name of every such person shall be stricken from the list of qualified electors kept at the polling place, and the person shall not vote again.

Section 17. For his services under this Act during the twenty days prior to each election to which this Act pertains and for his services on the day of the election, the register, or person acting in his stead, shall be paid the sum of ten dollars (10) daily. Such payment shall be made from the county treasury, except in the case of a municipal election held at a time different from a primary election, in which event payment shall be from the city or town treasury.

Section 18. In any municipal election that is held at a time different from a primary or general election, the duties with reference to the handling of absentee ballots which are required in this Act to be performed by the register shall be performed by the *** clerk or other officer performing the duties of the clerk. In the event the clerk or other officer performing the duties of the clerk is also a candidate in the election, the governing body of the city or town shall appoint a qualified elector of the city or town to perform the duties. Any such city or town official or employee or person shall have all the powers, duties, and responsibilities of the register under this Act and shall be entitled to the compensation provided by Section 17, above.

Section 19. All necessary and proper expenses and costs incurred in the carrying out of the provisions of this Act, for which no special provision is made herein, shall be paid for in the same manner as are necessary cost and expenses incurred in the several classes of elections enumerated hereunder.

Section 20. Any person who wilfully changes an absentee voter's ballot to such an extent that it does not reflect the voter's true ballot, or destroys an absentee voter's ballot, or otherwise violates this Act upon conviction must be punished by *** hard labor for the county for not more than twelve months or by a fine of not less than five hundred dollars (\$500) and not more than two thousand dollars (\$2000), or by both fine and *** a sentence to hard labor. It shall be unlawful for any candidate to aid or assist; or to tell or suggest the name of any candidate to any person when he or she is voting his or her absentee ballot before the register. Any person who wilfully aids any person unlaw-

fully to vote an absentee ballot, and any person who knowingly unlawfully votes an absentee ballot, and any voter who votes both an absentee and a regular ballot at any election, shall be similarly punished.

Section 21. All laws and parts of laws in conflict with this Act are repealed; Act 478, approved July 7, 1945, entitled "An Act to provide for absentee voting in primary, general, and municipal elections; and prescribe penalties for the violation of any of the provisions of this Act," and Section 8 of Title 17 of the 1940 Code of Alabama, are expressly repealed.

Section 22. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Mr. Coleman offered the following amendment to the substitute for the bill, to-wit:

Amend Patterson's Substitute for H. B. 351 as follows:

At the end of Section 9 add the following words:

Any prospective absentee voting meeting the requirements of Section 2, above, who is a member of the Armed Forces of the United States of America, may, not more than forty nor less than five days prior to the election at which he desires to vote, make application by United States mail in writing, to the register or person designated to serve instead of the register, for an absentee ballot as herein provided to be made by a prospective voter in person. Such application shall have attached thereto a certificate signed by the commanding officer of such person, certifying that such person is then serving in the Armed Forces of the United States. The affidavit herein provided to be attached to the absentee ballot shall be executed by the prospective voter in person before his commanding officer who shall certify to such fact. Such ballot shall be returned by United States mail to the register and shall be by him marked the day and hour of the receipt thereof. When received by the register or person acting in his stead shall be handled and counted in the same manner as ballots voted before the register in person.

Which was adopted.

Mr. Hooton moved that further consideration of the bill, H. B. 351, as amended, be postponed until the next Legislative Day without losing its place on the Calendar.

On motion of Mr. Lowe the motion to postpone was laid on the table.

Yeas 17; Nays 7.

Yeas:

Messrs.:	Hardwick	Lamberth	Patton	
Allen	Harvey	Langan	Russell	
Boutwell	Henderson	Lowe	Summerlin	
Burnside	Howle	Patterson	Swift	
Gulledge	Kendall			—17

Nays:

Messrs.:	Cater	Hooton	Mize	
Barrett	Coleman	Hughes	Quarles	—7

And the substitute for the bill, as thus amended, was then adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Gaither	Kendall	Patton	
Allen	Gulledge	Lamberth	Russell	
Boutwell	Hardwick	Langan	Summerlin	
Burnside	Harvey	Lowe	Swift	
Cater	Henderson	Mize	Wright	
Coleman	Howle	Patterson		—22

Nays:

—0

And said bill, as thus amended by the substitute, was then then read a third time at length and passed.

Yeas 20; Nays 3.

Yeas:

Messrs.:	Hardwick	Kendall	Patton	
Allen	Harvey	Lamberth	Russell	
Boutwell	Henderson	Langan	Summerlin	
Burnside	Hooton	Lowe	Swift	
Gaither	Howle	Patterson	Wright	
Gulledge				—20

Nays: Messrs. Cater, Clayton and Mize —3

At 3:15 P. M. Mr. Quarles moved that the Senate do now adjourn until Tuesday, August 16, 1949, at 10:00 A. M., which motion was lost.

Yeas 6; Nays 16.

Yeas:

Messrs.:	Coleman	Langan	Russell	
Barrett	Howle	Lowe		—6

Nays:

Messrs.:	Gulledge	Kendall	Russell	
Allen	Hardwick	Mize	Summerlin	
Boutwell	Henderson	Patterson	Swift	
Burnside	Hooton	Patton	Wright	
Cater				—16

At 3:40 P. M. Mr. Harvey moved that the Senate adjourn until Tuesday, August 16, 1949 at 10 o'clock A. M. which motion was lost.

Yeas 9; Nays 14.

Yeas:

Messrs.:	Harvey	Lamberth	Lowe	
Cater	Howle	Langan	Quarles	
Coleman	Hughes			—9

Nays:

Messrs.:	Gulledge	Kendall	Russell	
Allen	Hardwick	Mize	Summerlin	
Boutwell	Henderson	Patterson	Swift	
Burnside	Hughes	Patton		—14

The Bill:

H. 968. To amend an Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act.

was taken up.

Mr. Boutwell offered the following amendment to the bill, to-wit:

Amend Subsection (e) of Section 10 of House Bill 968 to read as follows:

(e) Every person engaged in selling or transporting gasoline in any county subject to the provisions of this act shall have at his place of business and also in his possession when transporting gasoline a report, or statement in writing showing from whom all gasoline in his possession was received; provided, however, this

sub-section shall not apply to a person who transports no gasoline except in the tank connected with the carburetor of the vehicle in which he is riding. Any person engaged in such business who transports gasoline for delivery at some point other than his place of business shall have in his possession a written report or statement showing the person to whom such gasoline is to be delivered, and showing the address of such latter person; provided, that this provision shall not apply to distributors duly qualified to do business in such counties in making local deliveries. Any person receiving or delivering gasoline in a tank-car truck or tank vehicle in such county shall have painted on the side of such truck or vehicle the word "gasoline" and his business name and address, in letters of not less than four inches in height.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Lamberth	Patton	
Allen	Coleman	Langan	Quarles	
Boutwell	Hardwick	Lowe	Russell	
Bridges	Harvey	Mize	Swift	
Burnside	Hughes	Patterson	Wright	
Cater	Kendall			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Lamberth	Patton	
Allen	Coleman	Langan	Quarles	
Boutwell	Hardwick	Lowe	Russell	
Bridges	Harvey	Mize	Swift	
Burnside	Hughes	Patterson	Wright	
Cater	Kendall			—21

Nays: —0

The Bill:

H. 487. To amend Section 204 of Title 26, Code of Alabama 1940, as amended by an act of the 1943 Legislature entitled an Act "To amend Sections 185, 187, 191, 204, 209, 212, 213, 214, 216, 224, 225, 227, 233, and 248 of Title 26, Code of Alabama 1940, and to repeal all of Section 226, of Title 26, Code of Alabama 1940, and to repeal all laws and parts of laws in conflict herewith," approved June 28, 1943, and as amended by an act of the 1945 Legislature entitled an Act "To amend Sections 186, 197, 198, 207, 223, and 240 of Title 26, Code of Alabama 1940, and Sections 185, 204,

213, 216 and 225 of Title 26 of the Code of Alabama 1940, as amended by an act of the 1943 Legislature entitled an Act "To amend Sections 185, 187, 191, 204, 209, 212, 213, 214, 216, 224, 225, 227, 233, and 248 of Title 26, Code of Alabama 1940, and to repeal all of Section 226, of Title 26, Code of Alabama 1940, and to repeal all laws and parts of laws in conflict herewith," approved June 28, 1943, and to repeal all laws or parts of laws in conflict herewith," approved July 7, 1945, and to repeal all laws or parts of laws in conflict herewith, such bill to read as follows:

was taken up.

Mr. Mize offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR H. B. 487

A BILL TO BE ENTITLED AN ACT

To amend Section 204 of Title 26, 1940 Code as amended by Act Number 310 of the 1943 Legislature and as further amended by Act Number 283 of the 1945 Legislature, relating to unemployment compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 204 of Title 26, 1940 Code as amended by Act Number 310 of the 1943 Legislature and as further amended by Act Number 283 of the 1945 Legislature is amended to read as follows:

§ 204. Experience Rating; rates and contributions.

A. For the twelve-month period beginning on the 1st day of April 1941, and each twelve-month period beginning on the 1st day of April thereafter, the contribution rates of each employer whose employment record has been chargeable with benefit wages during not less than the three consecutive calendar years immediately preceding any such 1st day of April and of his employees shall be determined by the unemployment compensation fund's maximum liability for benefits to his employees who have received benefits, modified by the state experience as to average duration of benefit payments as provided herein.

B. The employee's benefit wages shall be determined as follows:

(1) When in any benefit year an employee was first paid benefits after December 31, 1937, and before July 1, 1943, for total or partial unemployment, his wages for employment after December 1, 1936, during the then base period as defined for such benefit year by the Alabama Unemployment Compensation Law in effect with respect to such benefit year and with respect to which benefits were then paid, shall be the employee's benefit wages.

(2) When in any benefit year during which an employee has

not been paid any benefits prior to July 1, 1943, such employee is paid benefits after June 30, 1943, for the second compensable week of total or partial unemployment, his wages during his base period shall be the employee's benefit wages.

(3) As to any employee who is a "maritime worker" wages of such employee during a base period shall be multiplied by a fraction, the numerator of which is his average quarterly earnings in his base period and the denominator of which is his highest of any quarter in his base period.

(4) When in the determination of an employee's benefit wages, wages that have been included once in an employee's benefit wages for one benefit year or in an employee's wages for one base period such wages shall not thereafter be included again in his benefit wages for any other benefit year or in his wages for any other base period respectively.

(C) (1) The employer's benefit wages for a given calendar year before January 1, 1949, shall be the total of the benefit wages received from him by all of his employees or former employees who receive their second benefit payment of a given benefit year in such calendar year; provided, however, that the employer's benefit wages for the calendar years, or part thereof, prior to July 1, 1943, shall be the total of the benefit wages received from him by all of his employees or former employees who received their first benefit payment of a given benefit year in such calendar year. (2) The employer's benefit wages for each and every calendar year commencing with calendar year beginning January 1, 1949, shall be the total of the benefit wages received from him by all of his employees or former employees who receive their second benefit payment of a given benefit year in such calendar year; notwithstanding any inconsistent provisions of this Chapter, if after the last day of any claimant's benefit year but within the thirty days next following thereafter, an employer for whom benefit wage charges were made as a consequence of such claimant's receipt of benefits alleges that he had reemployed such a claimant within the claimant's benefit year, and the Director finds that such employee received in benefits a total amount aggregating not more than twenty-five per cent of the maximum benefit payments to which he was entitled within such benefit year, because of such reemployment, the employer's benefit wage record shall be credited with 75% of the benefit wages previously charged against him relating to such claimant's previous employment; or if the Director finds that such employee received in benefits an amount aggregating more than twenty-five per cent but not more than fifty per cent of the maximum benefits to which he was entitled within such benefit year, because of such reemployment, the employer's benefit wage record shall be credited with 50% of the benefit wages previously charged against him relating to such claimant's previous employment; or if the Director finds that such employee received in benefits a total amount

aggregating more than fifty per cent but not more than seventy-five per cent of the maximum benefits to which he was entitled within such benefit year, because of such reemployment, the employer's benefit wage record shall be credited with 25% of the benefit wages previously charged against him relating to such claimant's previous employment. Provided, that such credits shall be made for the calendar year in which the finding is made by the Director and no attempt shall be made to relate such credits to the period in which the rehiring occurred; "reemployment" meaning again performing service for remuneration. (3) The Director shall analyze the benefit payments made in and the employee and employer benefit wages for the calendar years 1938, 1939, and 1940 and for each calendar year thereafter and determine each employer's benefit wages for all such calendar years respectively.

Nothing herein contained shall be construed to authorize, permit, or require credits to an employer's benefit wage record of employer benefit wages for any calendar year prior to January 1, 1949, it being the intention of the Legislature to make this part of the law relative to crediting employer wage records effective only as to wage charges made to employer's wage records on and after January 1, 1949.

D. The benefit wage percentage of each employer for a given calendar year shall be a percentage determined by dividing the total of his benefit wages for the three most recent preceding calendar years by that part of his total taxable payroll of the same three years, with respect to which contributions have been paid on or before January 31, of the calendar year for which the benefit wage percentage is being determined.

E. From the total amount of benefits paid from the unemployment compensation trust fund during each calendar year there shall be subtracted all amounts credited to the fund during each such calendar year other than employers' and employees' contributions and the remainder shall be termed the "amount required for the fund" for each such calendar year. The "state experience factor" for each calendar year shall be a percentage determined by dividing the total of the amounts required for the fund for the three most recent calendar years by the statewide total of benefit wages of all employees for the three most recent calendar years and by adjusting to the next highest multiple of one per cent (1.0%). The state experience factor shall be determined annually prior to the 15th day of March of the calendar year for which the determination is made.

F. The contribution rates for each employer and his employees effective for each twelve-month period beginning with the 1st day of April of each year as provided in subsection A of this section shall be determined by the director and the director shall notify each such employer of the state experience factor, his benefit wage percentage, his contribution rate, and his employees' con-

tribution rate not less than fifteen days before each such 1st day of April. Such contribution rates shall be determined from the following table and shall be the rates, as indicated for employers and employees respectively, appearing at the bottom of the lowest numbered column in which there appears, on the same horizontal line in which is found in the column headed "state experience factor" the state experience factor for the then calendar year, a percentage equal to or in excess of such employer's benefit wage percentage for the then calendar year. If no percentage equal to or in excess of such benefit wage percentage appears on said horizontal line, the employer's contribution rate shall be two and seven-tenths per cent (2.7%) and the contribution rate of the employees of the said employer shall be one per cent (1.0%).

Col. 1 Col. 2 Col. 3 Col. 4 Col. 5

State
Experience
Factor

Employer's Benefit Wage Percentage					
1%	60.00%	95.00%	130.00%	165.00%	200.00%
2	20.00	31.50	43.50	55.00	66.50
3	15.00	23.50	32.50	41.00	50.00
4	12.00	19.00	26.00	33.00	40.00
5	10.00	16.00	21.50	27.50	33.50
6	8.50	13.50	18.50	23.50	28.50
7	7.50	12.00	16.00	20.50	25.00
8	6.50	10.50	14.50	18.50	22.00
9	6.00	9.50	13.00	16.50	20.00
10	5.50	8.50	12.00	15.00	18.00
11	5.00	8.00	11.00	13.50	16.50
12	4.50	7.50	10.00	12.50	15.50
13	4.50	7.00	9.50	12.00	14.50
14	4.00	6.50	8.50	11.00	13.50
15	3.50	6.00	8.00	10.50	12.50
16	3.50	5.50	7.50	9.50	12.00
17	3.50	5.50	7.00	9.00	11.00
18	3.00	5.00	7.00	8.50	10.50
19	3.00	4.50	6.50	8.00	10.00
20	3.00	4.50	6.00	8.00	9.50
21	2.50	4.50	6.00	7.50	9.00
22	2.50	4.00	5.50	7.00	8.50
23	2.50	4.00	5.50	7.00	8.50
24	2.50	4.00	5.00	6.50	8.00
25	2.50	3.50	5.00	6.50	7.50
26	2.00	3.50	5.00	6.00	7.50
27	2.00	3.50	4.50	6.00	7.00
28	2.00	3.50	4.50	5.50	7.00
29	2.00	3.00	4.50	5.50	6.50
30 or more	2.00	3.00	4.50	5.50	6.50

Employer's Contribution Rate5%	.75%	1.0%	1.25%	1.5%
------------------------------------	-----	------	------	-------	------

Employee's Contribution Rate1%	.2%	.3%	.4%	.5%
------------------------------------	-----	-----	-----	-----	-----

State Experience Factor	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10
-------------------------	--------	--------	--------	--------	---------

Employer's Benefit Wage Percentage

1%	235.00%	270.00%	305.00%	340.00%
2	117.50	135.00	152.50	170.00
3	78.50	90.00	101.50	113.50
4	58.50	67.50	76.00	85.00
5	47.00	54.00	61.00	68.00
6	39.00	45.00	51.00	56.50
7	33.50	38.50	43.50	48.50
8	29.50	33.50	38.00	42.50
9	26.00	30.00	34.00	38.00
10	23.50	27.00	30.50	34.00
11	21.50	24.50	27.50	31.00
12	19.50	22.50	25.50	28.50
13	18.00	21.00	23.50	26.00
14	17.00	19.50	22.00	24.50
15	15.50	18.00	20.50	22.50
16	14.50	17.00	19.00	21.00
17	14.00	16.00	18.00	20.00
18	13.00	15.00	17.00	19.00
19	12.50	14.00	16.00	18.00
20	11.50	13.50	15.00	17.00
21	11.00	13.00	14.50	16.00
22	10.50	12.50	14.00	15.50
23	10.00	11.50	13.50	15.00
24	10.00	11.00	12.50	14.00
25	9.50	11.00	12.00	13.50
26	9.00	10.50	11.50	13.00
27	8.50	10.00	11.50	12.50
28	8.50	9.50	11.00	12.00
29	8.00	9.50	10.50	11.50
30 or more	8.00	9.00	10.00	11.50

Benefit Wage Percentage in Excess of Column 9 of this table

Employer's Contribution Rate	1.75%	2.0%	2.25%	2.5%	2.7%
------------------------------------	-------	------	-------	------	------

Employee's Contribution Rate6%	.7%	.8%	.9%	1.0%
------------------------------------	-----	-----	-----	-----	------

G. Contribution rates for each employer and his employees determined pursuant to Subsection F of this Section shall nevertheless be subject to increase as hereinafter provided.

(1) The "benefits payroll ratio" of the State for each calendar year shall be determined by dividing the total of benefits paid from the unemployment compensation fund within such year by the statewide total of the taxable payrolls (with respect to which contributions have been paid on or before January 31 of such year) of all employers for the calendar year immediately preceding the calendar year within which such benefits have been paid and by adjusting the quotient to the nearest multiple of one thousandth.

(2) The "minimum normal amount" of the unemployment compensation fund for each calendar year shall be one and one-half times the amount determined by multiplying the highest statewide total of taxable payrolls (with respect to which contributions have been paid on or before January 31 of such year) of all employers for any of the three most recent preceding calendar years by the highest benefits payroll ratio for any of the ten most recent preceding calendar years.

(3) Whenever at the end of any calendar year the benefits paid from the unemployment compensation fund within the three-year period including and ended with said calendar year and the contributions paid within such three-year period have been in such amounts that the fund becomes greater than the minimum normal amount for the calendar year immediately succeeding such three-year period, the director shall on or before March 15 of said immediately succeeding calendar year so declare, and effective for the twelve-month period beginning with the 1st day of April of said immediately succeeding calendar year the contribution rates for each employer and his employees shall be determined by the director from the table in Subsection F of this Section on the basis of each employer's benefit wage percentage for the said immediately succeeding calendar year and the State experience factor as determined for the said immediately succeeding calendar year as provided in Subsection E of this Section.

(4) If at the end of any calendar year after December 31, 1940, the benefits paid from the unemployment compensation fund within the three-year period including and ended with said calendar year and the contributions paid within such three-year period have been in such amounts that the fund becomes less than the minimum normal amount for the calendar year immediately succeeding such three-year period, the director shall on or before March 15 of said immediately succeeding calendar year so declare. To be effective for the twelve-month period beginning with the 1st day of April of said immediately succeeding calendar year, the contribution rates for each employer and his employees shall be determined by the director from the table in Subsection

F of this Section on the basis of each employer's benefit wage percentage for the said immediately succeeding calendar year and an increased state experience factor to be computed by multiplying the state experience factor for the said immediately succeeding calendar year by two.

(5) The director shall notify each employer of each such declaration and change in state experience factor and of his benefit wage percentage, his contribution rate, and his employees' contribution rate not less than fifteen days before each such 1st day of April.

(6) (a) "Excess wages" shall mean that portion of an employer's total taxable payroll in any twelve-month period beginning with the 1st day of April of any year which is in excess of the greater of either (1) the average of the total taxable payrolls of such employer for the last four consecutive calendar years immediately preceding the beginning of any such twelve-month period; or (2) two hundred per cent (200%) of the average of the total taxable payrolls of such employer for the first two of the last four consecutive calendar years immediately preceding the beginning of any such twelve-month period; provided, however, that no portion of the first hundred thousand dollars of any employer's total taxable payroll in any such twelve-month period shall be determined to be excess wages within the meaning of this section.

(b) Notwithstanding the provisions of the foregoing subsections of this section, and effective for each twelve-month period beginning with the first day of April 1943, and of each year thereafter to and including the twelve-month period ending March 31, 1946, the contribution rate for each employer as to excess wages with respect to employment paid after June 30, 1943, and before April 1, 1946, shall be two and seventy-one hundredths per cent of such excess wages paid.

(c) For each twelve-month period beginning with the first day of April of the year 1943 and of each year thereafter, each employer shall keep and maintain an accumulative record of the total wages with respect to employment paid by him during such period and when for any payroll period in any such twelve-month period an employer at any time after June 30, 1943, and before April 1, 1946, first pays excess wages, such employer shall within fifteen days after the ending day of the first such completed payroll period for which excess wages are so paid notify the director by registered mail of the ending date of such first completed payroll period with respect to which he so paid excess wages.

(d) Not less than fifteen days before July 1, 1943, and not less than fifteen days before the 1st day of April of each year thereafter to and including the 1st day of April 1947, the director shall notify each employer for whom the contribution rate effective on the 1st day of April of such year is less than two and seven-tenths per cent the amount of wages which as to such employer will be

taxable at such reduced rate (wages in excess of which will be excess wages).

H. Any employer may apply to the director for and shall be entitled to a review as to the determination of his benefit wage percentage, his contribution rate as fixed by his benefit wage percentage and the amount of wages which, as to such employer, will be taxable at such reduced rate (wages in excess of which will be excess wages), provided such application is filed within 60 days of the date of the mailing by the director to the employer of the notice of such determination. Pending such review such employer shall withhold and transmit employee contributions and make all contribution payments otherwise required by this chapter at contribution rates fixed by the determination sought to be reviewed and resulting overpayments or underpayments of contributions by the employer shall, upon any redetermination, be adjusted or refunded pursuant to Section 243 of this Title. Any employer may within 30 days after the date of mailing by the director to such employer of notice of the ruling of the director upon such application for review appeal such ruling to the circuit court of any county wherein the employer is engaged in doing business, upon such terms and upon giving such security for costs as the court may upon application prescribe. Trial in that court shall be de novo with respect to his benefit wage percentage. Any redetermination of benefit wage percentage, whether by the director or the court on appeal, shall not be effective as to an employee contribution rate before the calendar quarter first beginning after such redetermination.

I. For the purpose of this section, an employer's benefit wages and that part of his total taxable payroll with respect to which contributions have been paid shall be deemed benefit wages of a successor employer and that part of the payroll of such successor employer with respect to which contributions have been paid shall be taken into account in determining the contribution rates of such successor employer and his employees, as provided in Subsection F of this Section, if such successor succeeds the employer in any of the manners set out in Subsection D of Section 185 as contained in Section 1 of this Act and the predecessor ceases business operations; provided, however, that in determining the contribution rates for employers and their employees for periods of time after March 31, 1945, an employer who prior to June 1, 1945, and after June 28, 1943, became an employer under the provisions of Subsection D of Section 185 of the Code of Alabama 1940, as amended by an act entitled "An Act to Amend Section 185, 187, 191, 204, 209, 212, 213, 214, 216, 224, 225, 227, 233, and 248 of Title 6, Code of Alabama 1940, and to repeal all of Section 226 of Title 26, Code of Alabama 1940, and to repeal all laws and parts of laws in conflict herewith," approved June 28, 1943, shall have that portion of his predecessor's benefit wages and that part of his predecessor's total taxable payroll with respect to which

contributions have been paid which correspond to the business assets and payrolls thereof acquired from his predecessor deemed to be his benefit wages and that part of his payroll with respect to which contributions have been paid, and such shall be taken into account in determining his and his employees' contribution rates as provided in Subsection F of this Section.

From the date of the acquisition to the end of the current rate period, the contribution rate of the successor employer shall be a newly computed rate determined in accordance with the provisions of this subsection and based upon the combined experience of the predecessor and successor as of the regular computation date for the rate period in which the acquisition took place.

Nothing herein contained shall be construed to authorize or require the retroactive modification of contribution rates or the granting of refunds.

J. In the event that the Social Security Board of the United States or its successor fails to certify, for any year, the law of Alabama to the Secretary of the Treasury of the United States as provided in Section 1602 (b) of the Internal Revenue Code of the United States, as amended, or as the same may be amended, the contribution rate of each employer and of his employees for such year shall be as provided in Section 201 and 202 of this Title, provided that in such event an employer shall be deemed to have discharged his duty as to withholding and transmitting additional amounts so required of his employees for such year if he withholds and transmits to the fund such additional amounts from each of his employees who were in his employ during such year and to whom within two months after the date of the ruling of the Social Security Board on such question of certification, he pays wages, such additional amounts not to exceed the wages so paid.

Section 2. This Act shall take effect on its passage and approval by the Governor or its otherwise becoming law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Kendall	Patterson
Allen	Hardwick	Lamberth	Patton
Boutwell	Harvey	Langan	Summerlin
Burnside	Henderson	Lowe	Swift
Cater	Hooton	Mize	Wright
Coleman	Howle		

—21

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Lamberth	Patton	
Allen	Hardwick	Langan	Russell	
Boutwell	Harvey	Lowe	Summerlin	
Burnside	Hooton	Mize	Swift	
Cater	Howle	Patterson	Wright	
Coleman	Kendall			—21

Nays:

—0

The Bill:

H. 709. To confer upon the Board of Commissioners of the State Bar additional powers relative to the selection, number, tenure, compensation, duties, and authority of the Board of Bar Examiners; repealing conflicting laws.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Gulledge	Kendall	Patton	
Allen	Hardwick	Lamberth	Russell	
Boutwell	Harvey	Langan	Summerlin	
Cater	Henderson	Lowe	Swift	
Coleman	Hooton	Mize	Wright	
Gaither	Howle	Patterson		—22

Nays:

—0

At 4:30 P. M., Mr. Langan moved that the Senate do now adjourn until Tuesday, August 16, 1949, at 10:00 A. M., which motion was lost.

Yeas 7; Nays 13.

Yeas:

Messrs.:	Gaither	Harvey	Lamberth	
Barrett	Hardwick	Howle	Langan	
				—7

Nays:

Messrs.:	Coleman	Mize	Russell	
Allen	Henderson	Patterson	Swift	
Boutwell	Hooton	Patton	Wright	
Cater	Lowe			—13

The Bill:

H. 294. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

was taken up.

Mr. Langan moved that further consideration of the bill be postponed to the next Legislative Day without losing its place on the calendar.

Mr. Allen moved to lay on the table the motion of Mr. Langan to postpone, and the motion to table was lost.

Yeas 6; Nays 16.

Yeas:

Messrs.:	Boutwell	Gulledge	Lowe	
Allen	Coleman	Henderson		—6

Nays:

Messrs.:	Harvey	Lamberth	Patton	
Barrett	Hooton	Langan	Russell	
Cater	Howle	Mize	Summerlin	
Gaither	Kendall	Patterson	Swift	
Hardwick				—16

The question then recurred on the motion of Mr. Langan, and further consideration of the bill, H. B. 294, was postponed until the next Legislative Day.

At 4:45 P. M. Mr. Coleman moved that the Senate do now adjourn until Tuesday, August 16, 1949, at 10:00 A. M. which motion was lost.

Yeas 10; Nays 13.

Yeas:

Messrs.:	Boutwell	Henderson	Patterson	
Allen	Cater	Howle	Wright	
Barrett	Coleman	Lowe		—10

Nays:

Messrs.:	Harvey	Langan	Russell	
Gaither	Hooton	Mize	Summerlin	
Gulledge	Kendall	Patton	Swift	
Hardwick	Lamberth			—13

The Bill:

S. 574. To amend Act No. 569, General Acts of 1947, Page 402, approved October 2, 1947, "To fix and prescribe the salaries to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of said salaries by the counties of certain judicial circuits," and to provide for the repeal of all acts, all laws and parts of laws in conflict herewith.

was taken up.

Mr. Russell offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 574

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 569, General Acts of 1947, Page 402, approved October 2, 1947, "To fix and prescribe the salaries to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of said salaries by the counties of certain judicial circuits," and to provide for the repeal of all acts, all laws and parts of laws in conflict herewith.

Be It Enacted by the Legislature of Alabama:

Section 1. That Act No. 569, General Acts of 1947, Page 402, approved October 2, 1947, which fixes and prescribes the salaries to be paid the circuit judges by the State of Alabama and providing for the supplementing of said salaries by the counties of certain judicial circuits, be and the same is hereby amended to read as follows:

"That after the passage and approval of this act the salary of each and every circuit judge in the State of Alabama, in all circuits of the state, except as herein provided, shall be the sum of seven thousand five hundred dollars (\$7,500.00) per annum, and shall be payable out of the state treasury in equal monthly installments as the salaries of other state officials are paid. In the sixteenth judicial circuit of Alabama the salary of each circuit judge shall be the sum of nine thousand dollars (\$9,000.00) per annum, of which amount the sum of seven thousand five hundred dollars (\$7,500.00) per annum shall be payable out of the state treasury in equal monthly installments as the salaries of other state officials are paid. The remaining \$1500.00 shall be paid as a supplemental salary by the counties composing such circuit in the following proportions: 80% of such supplemental salary shall be paid by Etowah County and 20% of such supplemental salary shall be paid by St. Clair County. Such supplemental salaries shall be paid in equal monthly installments out of the treasury of each county upon the warrant of such judge. The supplemental salary provided for herein for the judges of the sixteenth judicial circuit shall be in lieu of the supplemental salary provided for by Act No. 258 of the 1949 regular session of the Legislature approved July 19, 1949. It is the legislative intent of this Act that an overall increase of one thousand dollars (\$1,000.00) shall be granted to each of the judges of said circuit by increasing the annual salary paid each such judge by the state the sum of fifteen hundred dollars (\$1500.00) and by withdrawing \$500. of the supplement provided by said Act No. 258 of the 1949 regular session of the Legislature approved July 19, 1949. In all circuits composed of only one county and having only two judges each judge shall be paid out of the county treasury an additional

sum of three thousand dollars (\$3,000.00) per annum, in twelve equal installments, provided that in circuits composed of only one county and having only two judges where the population of such county is less than 113,000 according to the last federal census an additional, and only additional, \$1200.00 shall be paid out of the county treasury of such county in twelve equal monthly installments. In all circuits composed of only one county having more than two judges and less than nine judges the salary of said judges shall be nine thousand dollars (\$9,000.00) per annum to each of such judges of which the sum of seven thousand five hundred dollars (\$7500.00) per annum shall be payable out of the state treasury in equal monthly installments as the salaries of other state officials are paid and the sum of one thousand, five hundred dollars (\$1500.00) per annum shall be payable to each such judge out of the county treasury in twelve equal monthly installments. In all circuits composed of only one county having nine or more judges each judge shall be paid out of the county treasury an additional sum of two thousand dollars (\$2,000.00) per annum in twelve equal monthly installments. In circuits composed of only one county and having only one judge the county composing such circuit shall pay the judge an additional sum of twelve hundred dollars (\$1200.00) per annum in twelve equal monthly installments and any law local or special affecting this provision of this section relative to circuits composed of only one county and having only one judge is hereby expressly repealed. In all other cases in which the salary of the circuit judge is by law supplemented by a county or counties the same shall continue to be paid as now provided by law and which shall be in addition to the salaries paid by the state."

Section 2. That all laws and parts of laws in conflict herewith are hereby repealed with specific reference to Act No. 179, General Acts of 1947, Page 64, and to Act No. 258 of 1949 regular session of the Legislature approved July 19, 1949, but not to include Act No. 518, General Acts of 1947, Page 355.

Section 3. This act shall take effect upon its passage and approval by the Governor.

Mr. Russell offered the following amendment to the substitute for the bill, to-wit:

Amend Russell substitute to S. B. 574 by striking therefrom the words and figures "two thousand dollars (\$2,000.00)" where they appear together in Section 17 of said substitute and by substituting in lieu thereof the words and figures "twenty-five hundred dollars (\$2500)".

Also amend Section 2 of said substitute by striking from Section 2 of said substitute the words and figures "but not to include Act No. 518, General Acts of 1947, page 355."

Which was adopted.

And said substitute, as thus amended, was then adopted.

Yeas 17; Nay 1.

Yeas:

Messrs.:	Gulledge	Kendall	Patterson	
Allen	Hardwick	Lamberth	Patton	
Boutwell	Harvey	Langan	Russell	
Cater	Hooton	Mize	Swift	
Gaither	Howle			—17

Nay: Mr. Henderson —1

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Gulledge	Howle	Patterson	
Allen	Hardwick	Kendall	Patton	
Boutwell	Harvey	Lamberth	Russell	
Cater	Henderson	Langan	Swift	
Gaither	Hooton	Mize		—18

Nays: —0

The Bill:

H. 313. To impose extra, new, and additional duties upon the circuit solicitors of the State of Alabama; to provide additional compensation for such solicitors for the performance of the extra, new, and additional duties hereby imposed upon them; and to provide for the payment of such additional compensation out of the general fund of the State of Alabama.

Was read a third time at length and passed.

Yeas 17; Nay 1.

Yeas:

Messrs.:	Hardwick	Kendall	Patterson	
Allen	Harvey	Lamberth	Patton	
Boutwell	Henderson	Langan	Russell	
Cater	Hooton	Mize	Swift	
Gaither	Howle			—17

Nay: Mr. Gulledge —1

The Bill:

H. 451. To amend Section 154 of Title 41 of the Code of Alabama 1940, as amended by Act No. 238, General Acts of Alabama, Regular Session 1943, Page 195, Approved June 22, 1943, to provide for expenses per day and traveling expenses.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the bill, to-wit:

Amend Sec. 1. of H. B. 451 by striking the words "seven cents" where the same appear therein and inserting in lieu thereof the words "six cents".

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Gulledge	Howle	Patterson	
Allen	Hardwick	Kendall	Patton	
Boutwell	Harvey	Lamberth	Russell	
Cater	Henderson	Langan	Swift	
Gaither	Hooton	Mize		—18

Nays: —0

Mr. Langan offered the following amendment to the bill, as amended, to-wit:

Amend Sec. 1. of H. B. 451 by adding at the end thereof the following:

"provided, however, that the above per diem payment shall not be made for a period in excess of two consecutive months for an employee stationed at the same place in the State of Alabama and after the completion of a two consecutive months period the amount of the per diem shall be reduced to three dollars and fifty cents per day.

Which was adopted.

Yeas 18; Nay 1.

Yeas:

Messrs.:	Gaither	Hooton	Mize	
Allen	Gulledge	Howle	Patton	
Boutwell	Hardwick	Kendall	Russell	
Cater	Harvey	Lamberth	Swift	
Coleman	Henderson	Langan		—18

Nay: Mr. Patterson —1

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Gaither	Hooton	Mize	
Allen	Gulledge	Howle	Patterson	
Barrett	Hardwick	Kendall	Patton	
Boutwell	Harvey	Lamberth	Russell	
Cater	Henderson	Langan	Swift	
Coleman				—20

Nays: —0

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in session, has carefully examined the Journals of the Senate for the Twenty-eighth and Twenty-ninth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

V. S. SUMMERLIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. Summerlin, the foregoing report was concurred in and the Journals of the Senate for the Twenty-eighth and Twenty-ninth Legislative Days approved by the Senate.

ADJOURNMENT

At 5:25 P. M., on motion of Mr. Harvey, and in accordance with joint resolution heretofore adopted, the Senate adjourned until Tuesday, August 16, 1949 at 10 o'clock A. M.

THIRTY-FIRST LEGISLATIVE DAY

TUESDAY, AUGUST 16, 1949

The Senate met pursuant to adjournment, Lieutenant-Governor Inzer presiding.

PRAYER

The Session was opened with prayer by Rev. Clyde E. Fulmer, Pastor Capitol Heights Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Cooper	Hooton	Owens
Allen	Fite	Howle	Patterson
Barrett	Gaither	Hughes	Patton
Boutwell	Glover	Kendall	Perry
Bridges	Golson	Kimbrell	Quarles
Burnside	Gulledge	Lamberth	Russell
Cater	Hardwick	Langan	Summerlin
Clayton	Harvey	Lowe	Swift
Coleman	Henderson	Mize	Wright

—35

JOURNAL

Upon reaching the Journal in order of business, Mr. Howle called for the reading at length of the Journal of yesterday, thereupon the Secretary began the reading at length of the Journal of yesterday.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 13. To authorize and provide for the payment of the sum of \$2,500.00 out of any funds in the State Treasury to the credit of the Highway Patrol Fund for the relief of W. A. Whitely, to reimburse him for hospital, doctor and medical bills, and for compensation for injuries received by him by reason of an accident occurring on the 29 day of June, 1939, while the said W. A. Whitely was employed by the State of Alabama as a member of the State Highway Patrol, and while he was acting in the line and scope of his employment as a patrolman.

Also:

S. 33. To amend Act No. 152, H. B. 60, approved June 20, 1945 (General Acts, 1945, pp. 190-193) entitled "An Act To provide for an information, research, and bill-drafting service to members of the Legislature of Alabama, the Governor, state department and agency heads, and other persons by creating a Legislative Reference Service of the State of Alabama and a supervisory Legislative Council, to prescribe their duties and powers, and to make appropriations for their equipment, maintenance, and operation."

Also:

S. 148. To repeal Section 62, Title 46, of the 1940 Code of Alabama.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Mr. Mize:

S. B. 630. To impose extra, new and additional duties upon the members of the Board of Revenue of Tuscaloosa County, Alabama, and to provide additional compensation for the performance of such duties, and to provide an effective date for this act and to repeal all laws, and parts of laws in conflict with this act.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To impose extra, new and additional duties upon the members of the Board of Revenue of Tuscaloosa County, Alabama, and to provide additional compensation for the performance of such duties, and to pro-

vide an effective date for this act and to repeal all laws, and parts of laws in conflict with this act.

Be It Enacted by the Legislature of Alabama:

Section 1: That in addition to all other duties now provided and imposed by law upon the members of the Board of Revenue of Tuscaloosa County, Alabama, it shall be the duty of the members of said board of revenue to keep constantly advised as to the condition of all county roads and bridges and to see that the same are kept in repair and improved. They shall at the end of each month prepare a detailed report showing the condition of such roads and bridges, the character of work done during said month, the manner in which money and labor are expended and the actual service which they have performed and devoted to their offices. Such record shall be permanently preserved at the office of the board at the court house and shall be subject to public inspection; the members of the Board of Revenue of Tuscaloosa County, Alabama, shall have the duty, and it is hereby required of them to keep themselves advised of the number and extent of all forest fires occurring in said county and to render assistance and cooperation to the State Division of Forestry, Department of Conservation, in the suppression and prevention of forest fires in so far as may be reasonable and practicable, providing whenever possible, use of appropriate county equipment whenever it is practicable to do so to the end that the loss from forest fires in Tuscaloosa County shall be reduced to a minimum.

Section 2: That in addition to all other compensation now received by said members of the Board of Revenue of Tuscaloosa County, Alabama, each member of said Board of Revenue of Tuscaloosa County, Alabama, shall be paid as compensation for said additional duties imposed by this act the sum of six hundred dollars annually to be paid as their compensation is now paid.

Section 3: This shall become effective on the first day of the following month after its passage and approval by the Governor or its otherwise becoming a law.

Section 4: All laws, and parts of laws, local, special or general in conflict with this act, in so far as they conflict with the terms of this act are hereby expressly repealed.
July 21, 28, Aug. 4, 11—4t.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1949.

BUFORD BOONE.

Sworn to and subscribed before me Aug. 11, 1949.

LILLA COLLINS,

Notary Public in and for Tuscaloosa County, Alabama.

(SEAL)

By Mr. Hooton:

S. B. 631. To provide for the Redistricting of the Commissioner's Districts of Randolph County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of intention to apply for the passage of a Local Law for Randolph County, Alabama, at the 1949 session of the Legislature of Alabama, which convened on May 3rd, 1949, and which is now in session, which Local Law reads as follows:

A BILL TO BE ENTITLED AN ACT

To provide for the Redistricting of the Commissioner's Districts of Randolph County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Randolph County, Alabama, be and the same is hereby divided into Four Commissioners Districts to be designated District Number 1, District Number 2, District Number 3, and District Number 4.

Section 2. That District Number 1 shall be composed of the territory now embraced in Election Precincts 1, 14, 3 and 6; That District Number 2 shall be composed of the territory now embraced in Election Precincts 2, 13 and 7; That District Number 3 shall be composed of the territory now embraced in Election Precincts 4, 5 and 11; That District 4 shall be composed of the territory now embraced in Election Precincts 8, 9, 10 and 12.

Section 3. All laws in so far as they conflict herewith are hereby repealed.

Section 4. The provisions of this Act to become effective upon its approval by the Governor, or its otherwise becoming a law.

July 8 -4t

THE STATE OF ALABAMA RANDOLPH COUNTY

Before me, Paul J. Hooton, a notary public in and for said state and county, appeared John B. Stevenson, publisher of The Roanoke Leader, a newspaper published in Roanoke, Randolph County, Alabama, who being duly sworn, deposes and says that a notice advertising A bill for the Redistricting of the Commissioner's Districts of Randolph County, Ala, appeared in said paper in the issues of July 8, 15, 22, 29, August 5, 1949 and that a copy of said notice is hereto attached.

(Signed.) JOHN B. STEVENSON.

Sworn to and subscribed before me this, the 16 day of August, 1949

PAUL J. HOOTON,
Notary Public.

By Mr. Kimbrell:

S. B. 632. Relating to Fayette County: To impose extra, new, and additional duties upon the members of the county governing body of Fayette County; to provide additional compensation for the performance of such duties; and to designate the funds from which the compensation of members of such governing body shall be paid.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FAYETTE

Notice is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Fayette County: To impose extra, new, and additional duties upon the members of the county governing body of Fayette county; to provide additional compensation for the performance of such duties; and to designate the funds from which the compensation of members of such governing body shall be paid.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other duties now imposed upon them by law, the following extra, new, and additional duties are hereby imposed upon the members of the county governing body of Fayette County:

(a) The county governing body shall hold regular meetings during the second and fourth weeks in each month of the year on a day to be determined, from time to time, by the county governing body, and at such other times as are now provided by law.

(b) Each member of the county governing body shall superintend the construction and maintenance of all public roads and bridges in his district, and shall make such reports of his activities to the county governing body, from time to time, as are necessary to keep the county governing body informed as to the condition of the public roads and bridges in his district.

Section 2. The compensation of the members of the county governing body shall be two thousand four hundred dollars (\$2,400) per annum.

Section 3. The compensation herein provided for the members of the county governing body shall be in lieu of all compensation now provided by law; and no member of the county governing body shall receive any mileage for travel performed within the county in the discharge of his official duties. The additional compensation which the members of the county governing body receive as a result of the provisions of this Act, over and above the compensation now provided by law, is hereby declared to be compensation for the performance of the extra, new and additional duties herein imposed upon them.

Section 4. One-fourth of the compensation herein provided for the members of the county governing body shall be paid out of the general funds of the county and three-fourths of such compensation shall be paid out of the portion of the state excise tax on gasoline allocated by law to the county.

Section 5. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 6. This Act shall become effective on the first day of the month following its passage and approval by the Governor or its otherwise becoming a law.

THE STATE OF ALABAMA
FAYETTE COUNTY

Personally appeared the undersigned who being duly sworn, says he is the Publisher of the Fayette County Times, a newspaper published

weekly at Fayette, Ala., in said County and State, and that the notice hereto attached was published in said newspaper for four successive weeks, on to-wit:

July 21 and 28, and August 4 and 11, 1949.

J. W. AYRES.

Sworn to and subscribed before me this August 11, 1949.

P. D. BERRY,
Notary Public.

By Mr. Kimbrell:

S. B. 633. To authorize and empower the Tax Assessor of Fayette County, Alabama to appoint a Clerk; to authorize and empower the Tax Collector of Fayette County, Alabama, to appoint a clerk; to fix the salary of both said Clerks, and to provide for the method of payment of salary of each of said Clerks.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF FAYETTE**

Notice is hereby given that there will be introduced at the present session of the Legislature of Alabama, which convened in May, 1949, a Bill in words and figures substantially as follows:

AN ACT

To authorize and empower the Tax Assessor of Fayette County, Alabama to appoint a Clerk; to authorize and empower the Tax Collector of Fayette County, Alabama, to appoint a clerk; to fix the salary of both said Clerks, and to provide for the method of payment of salary of each of said Clerks.

Section 1. The Tax Assessor of Fayette County, Alabama is hereby authorized and empowered to appoint a Clerk to hold office at the pleasure of the Tax Assessor of said County.

Section 2. The said Clerk, so appointed by the Tax Assessor, shall be paid a salary to be fixed by the Court of County Commissioners of Fayette County, Alabama, such salary to be not more than Seventy-Five Dollars (\$75.00) per month.

Section 3. The Tax Collector of Fayette County, Alabama, is hereby authorized and empowered to appoint a Clerk to hold office at the pleasure of the Tax Collector of said County, but to hold office not to exceed six months out of each calendar year.

Section 4. The said Clerk, so appointed by the Tax Collector, shall be paid a salary to be fixed by the Court of County Commissioners of Fayette County, Alabama, such salary to be not more than Seventy-five (\$75.00) Dollars per month and the same to be paid for not more than six months out of each calendar year.

Section 5. The Court of County Commissioners of Fayette County, Alabama, is hereby authorized and required to draw salary warrants monthly in favor of both said Clerks for the payment of the salaries so fixed by said Court of County Commissioners, which warrants shall be drawn upon and paid out of the General Funds of said County. Warrants for payment of the salary of the Clerk appointed by the Tax Collector shall not be drawn to cover a period of more than six months out of any one calendar year.

Section 6. Should any section, clause, or provision of this act be declared unconstitutional, the same shall not affect the remaining sections, clauses, or provisions hereof.

Section 7. This Act shall go into effect immediately upon passage and approval by the Governor.

THE STATE OF ALABAMA
FAYETTE COUNTY

Personally appeared the undersigned who being duly sworn, says he is publisher of the Fayette County Times, a newspaper published weekly at Fayette, Ala., in said County and State, and that the notice hereto attached was published in said newspaper for four successive weeks on to-wit:

July 21 and 28, and August 4 and 11, 1949.

Sworn to and subscribed before me this August 11, 1949.

J. W. AYRES.

P. D. BERRY,
Notary Public.

By Mr. Cater

S. B. 634. To amend Section 561 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply for passage by the 1949 Regular Session of the Alabama Legislature, of a local law in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 561 of Title 62, Code of Alabama of 1940.

Be It Enacted by the Legislature of Alabama as follows:

Section 1. That Section 561 of Title 62, Code of Alabama of 1940, be and the same is hereby amended to read as follows:

Section 561. (a) Selection of employees.—Each and every officer and employee of the city except the health officer and such persons as may be employed by him to enforce quarantine, shall be selected and employed by the said board of commissioners, or under its direction and all salaries and wages paid by said city, shall be fixed by said board of commissioners. Unless otherwise provided the commissioners shall prescribe and may at any time change the powers, duties and titles of all subordinate officers and employees of said city, except the health officer and those holding under him, all of whom shall hold office and be removable at the pleasure of the board of commissioners. The authority herein given is subject, however, to the provisions of any civil service or merit system law applicable to said city.

(b) Distribution of powers and duties of board of commissioners.—The powers and duties of the board of commissioners of such city shall be distributed into and among three divisions, as follows: division of general administration and finance; division of public works; and division of public affairs. The president of the board of commissioners, or mayor, shall be the general executive officer of the city and shall be charged with the general supervision and direction of its affairs; and shall have direct supervision over the division of general administration and finance. The division of general administration and finance shall

include those functions and departments of the city having to do with the collection of taxes, licenses and improvement assessments; the expenditures of the city, including the purchase of equipment and supplies; accounts and accounting; the budget and appropriations; the administration of the legal affairs of the city, including the Recorder's Court; the management of its sinking funds; and the management of any public utilities owned by the city. Associate commissioner number one shall have direct supervision over the division of public works. The division of public works shall include those function and departments of the city having to do with public improvements in such city, including the construction, improvement and maintenance of streets, sidewalks, sewers, drainage systems, and public buildings and property; the city airport; the public health and sanitation; and kindergartens. Associate commissioner number two shall have direct supervision over the division of public affairs. The division of public affairs shall include the fire and police departments, the city cemetery, and the department having to do with weights and measures. Any function or department of the city not herein specifically assigned to one of the above divisions shall be the responsibility of the board of commissioners as a whole; provided, however, any such function or department may be assigned to a division and reassigned, at any time by a unanimous decision of all members of the board of commissioners.

Section 2. The provisions of this Act shall become effective as of the first Monday in October, 1951.

Journal—July 22-29, Aug. 5-12

STATE OF ALABAMA MONTGOMERY COUNTY

Before me, F. H. Hurston, a Notary Public, in and for said County, in said State, personally appeared P. W. Walsh, who is known to me and who being by me first duly sworn doth depose and say as follows: That he is Advertising Manager of The Advertiser Company, publishers of The Alabama Journal, a newspaper of general circulation published in Montgomery County, State of Alabama; that the attached notice of proposed local law was published once a week for four consecutive weeks in said Alabama Journal in the issues thereof of July 22, July 29, August 5, and August 12, 1949.

P. W. WALSH.

Sworn to and subscribed before me this 16 day of August, 1949, and in witness whereof, I have hereto affixed my official seal.

F. H. HURSTON,

Notary Public, Montgomery County, Alabama.

By Mr. Cater:

S. B. 635. To alter, rearrange and extend the boundary lines and corporate limits of the City of Montgomery, in Montgomery County, Alabama; and to prescribe the time when this Act shall become effective.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Montgomery, in Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery included within the following boundaries, to-wit: Beginning at the water's edge on the South side of the Alabama River at a point where the north line of Section 11, Township 16, Range 17, touches said river, thence West along the North line of said Section 11 to the northwest corner thereof; thence continuing West along the North line of Section 10, Township 16, Range 17, to the Northwest corner thereof; thence South along the West line of Section 10, Township 16, Range 17, to the Southwest corner thereof; thence continuing South along the West line of Section 15, Township 16, Range 17, to the South line of the Western Railway of Alabama Railroad right-of-way; thence Southwesterly along the South right-of-way line of said railroad to the East line of Old Selma Road; thence Southwesterly along the East line of the Old Selma Road a distance of 208.3 feet to a point; thence South 0 degrees 53 minutes East 492.0 feet to a point; thence North 88 degrees 59 minutes East 2952.5 feet to a point; thence South 1 degree 6 minutes East 664.7 feet to a point; thence South 1 degree 13 minutes East 1324.7 feet to a point; thence North 88 degrees 54 minutes East to the East line of Section 21, Township 16, Range 17; thence South along the East line of Section 21; Township 16, Range 17, to the Southeast corner thereof; thence East along the North line of Section 27, Township 16, Range 17, to the West right-of-way line of the Louisville and Nashville Railroad; thence Southwesterly along the West right-of-way line of said Railroad to the Quarter section line running East and West through the Southeast quarter of Section 27, Township 16, Range 17; thence East along said Quarter section line to the East line of Section 27, Township 16, Range 17; thence continuing East along the Quarter section line running East and West through the Southwest quarter of Section 26, Township 16, Range 17 to the Half section line running North and South through Section 26, Township 16, Range 17; thence North along said Half section line to the center of Section 26, Township 16, Range 17, thence East along the Half section line running East and West through Section 26, Township 16, Range 17, to the East line of Section 26, Township 16, Range 17; thence continuing East along the Half section line running East and West through Section 25, Township 16, Range 17, to the West right-of-way line of the Atlantic Coast Line Railroad; thence Southeasterly along the West right-of-way line of said railroad to the Quarter section line running East and West through the South half of Section 25, Township 16, Range 17; thence East along said Quarter section line to the center of the Southeast quarter of Section 25, Township 16, Range 17, thence South along the Quarter section line running North and South through the East half of Section 25, Township 16, Range 17, to the South line of Section 25, Township 16, Range 17, thence continuing South along the Quarter section line running North and South through the East half of Section 36, Township 16, Range 17, to a point, said point being on the North property line of the Plat of Norman Heights if extended, according to said Plat as the same is recorded in the Office of the Judge of Probate, Montgomery County, Alabama in Plat Book 7, Page 12, thence East along said line to the Northwest corner of said Plat of Norman Heights, said Northwest corner of Norman Heights Plat being 485 0 feet North of the North property line of Valley View Road or Fleming Road, thence continuing East along the North boundary line of the Plat of Norman Heights and its extension to a point on the Quarter section line running North and South through the East half of Section 31, Township 16, Range 18, thence North along said Quarter section line to the North line of Section 31, Township 16, Range 18, thence East along the North line of Section 31, Township 16, Range

18, to the Northeast corner thereof; thence East along the South line of Section 29, Township 16, Range 18, to the Quarter Section line running North and South through the Southeast quarter of Section 29, Township 16, Range 18, thence North along said Quarter section line to the Half section line running East and West through Section 29, Township 16, Range 18, thence East along said Half section line to the East line of Section 29, Township 16, Range 18, thence North along the East line of Section 29, Township 16, Range 18, to the North right-of-way line of the Troy-Montgomery Highway; thence Easterly along the curvature of and along the North right-of-way line of the Troy-Montgomery Highway to the Half section line running North and South through Section 28, Township 16, Range 18.

Thence continuing North along said Half section line to the Northeast corner of the Southeast quarter of the Northeast quarter of the Northwest quarter of Section 28, Township 16, Range 18; thence West along the line running East and West through the center of the Northeast Quarter of the Northwest Quarter of Section 28, Township 16, Range 18, to the Quarter section line running North and South through the Northwest quarter of Section 28, Township 16, Range 18, thence North along said Quarter section line to the North line of Section 28, Township 16, Range 18, thence continuing North along the Quarter section line running North and South through the West half of Section 21, Township 16, Range 18, to the South right-of-way line of the Carter Hill Road; thence East along the curvature and along the South right-of-way line of the Carter Hill Road to a point due South of the Southeast corner of the Plat of Croom Crest according to said Plat as the same is recorded in the Office of the Judge of Probate, Montgomery County, Alabama in Plat Book 8, Page 90, thence North to the Southeast corner of said Plat of Croom Crest, said Southeast corner of said plat being 985 feet West of the center of Section 21, Township 16, Range 18; thence North along the East boundary line of said Plat of Croom Crest a distance of 1394 feet, to the Northeast corner of said Plat, thence West along the North boundary of said Plat of Croom Crest and along its North line if extended, a distance of 897 feet, thence North and parallel to the West line of Section 21, Township 16, Range 18, to the North line of Section 21, Township 16, Range 18, thence East along the North line of Section 21, Township 16, Range 18, to the Northeast corner thereof; thence North along the East line of Section 16, Township 16, Range 18 to the Northeast corner thereof; thence West along the South line of Section 9, Township 16, Range 18, to the Half section line running North and South through Section 9, Township 16, Range 18; thence North along said Half section line to the center of Section 9, Township 16, Range 18, thence East along the Half section line running East and West through Section 9, Township 16, Range 18, to the East line of Section 9, Township 16, Range 18, thence continuing East along the Half section line running East and West through Section 10, Township 16, Range 18, to the Quarter section line running North and South through the West Half of Section 10, Township 16, Range 18; thence North along said Quarter section line to the North line of Section 10, Township 16, Range 18; thence West along the North section line of Section 10, Township 16, Range 18, to the Northwest corner thereof; thence continuing West along the North line of Section 9, Township 16, Range 18, to the Half section line running North and South through Section 4, Township 16, Range 18; thence North along the Half section line running North and South through Section 4, Township 16, Range 18, to the North line of Section 4, Township 16, Range 18, thence continuing North along the Half section line running North and South through Section 33, Township 17, Range 18, to the North right-of-way line of the Seaboard Air Line Railroad; thence Northwesterly along the said North right-of-way line and along the curvature thereof to the Half section line running East and West through Section 32, Township 17, Range 18,

thence West along said Half section line to the West line of Section 32, Township 17, Range 18, thence continuing West along the Half section line running East and West through Section 31, Township 17, Range 18, to the West line of Section 31, Township 17, Range 18, thence continuing West along the Half section line running East and West through Section 36, Township 17, Range 17 to the West line of Section 36, Township 17, Range 17, thence continuing West along the Half section line running East and West through Section 35, Township 17, Range 17, to the water's edge on the East side of the Alabama River; thence down the Alabama River along the water's edge thereof, to the point of beginning, all of the above described territory being in Montgomery County, Alabama.

Section 2. That the boundaries set out in Section 1 of this Act be, and the same are hereby, established as the corporate limits of said City of Montgomery, effective September 30, 1949.

Journal—July 22-29, Aug. 5-12

STATE OF ALABAMA MONTGOMERY COUNTY

Before me, F. H. Hurston, a Notary Public, in and for said County, in said State, personally appeared P. W. Walsh, who is known to me and who being by me first duly sworn doth depose and say as follows: That he is Advertising Manager of The Advertiser Company, publishers of The Alabama Journal, a newspaper of general circulation published in Montgomery County, State of Alabama; that the attached notice of proposed local law was published once a week for four consecutive weeks in said Alabama Journal in the issues thereof of July 22, July 29, August 5, and August 12, 1949.

P. W. WALSH.

Sworn to and subscribed before me this 16 day of August, 1949, and in witness whereof, I have hereto affixed my official seal.

F. H. HURSTON,

Notary Public, Montgomery County, Alabama.

By Mr. Cater:

S. B. 636. To amend Section 565 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply for passage by the 1949 Regular Session of the Alabama Legislature, of a local law in substance as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 565 of Title 62, Code of Alabama of 1940.

Be It Enacted by the Legislature of Alabama as follows:

Section 1. That Section 565 of Title 62, Code of Alabama of 1940, be and the same is hereby amended to read as follows:

Section 565. Elections; designation of positions.—(A) An election shall be held in the city on the third Monday in May, 1931, and on the

same day of every fourth succeeding year, for the election of the president and two other members of the board of commissioners to hold office for a term of four years from the first Monday in October in said year and until their respective successors shall have been elected and shall have qualified for office. Any person desiring to become an independent candidate at any election which may be held according to the terms of this subdivision for the office of president of the board or other commissioner may become such candidate by filing in the office of the judge of probate of the county in which said city is situated a statement of such candidacy accompanied by an affidavit taken and certified by said judge of probate or by a notary public that such person is duly qualified to hold the office for which he desires to become a candidate. Such statement shall be filed at least twenty-one days before the day set for such election and shall be substantially in the following form: "State of Alabama (_____ County), I, the undersigned, being first duly sworn, depose and say that I am a citizen of the city of Montgomery in said State and county and reside at _____ in said city, that I desire to become a candidate for the office of _____, in said city for the term of _____ years in the election for said office to be held on the _____ day of _____ next; that I am duly qualified to hold said office if elected thereto and I hereby request that my name be printed upon the official ballot at said election (signed) _____ Subscribed and sworn to before me by said _____ on the _____ day of _____ 19 ____ Judge of Probate or notary public." Said statement shall be accompanied by a petition signed by at least one thousand persons who shall be qualified to vote at said coming election, requesting that such person become a candidate for said office at said election. The signers of said petition shall set forth their names in full and their residence addresses and said petition shall be substantially like the following: "We, the undersigned, duly qualified electors of the City of Montgomery and residing at the places set opposite our respective names, do hereby request that the name of _____ be placed upon the official ballot as a candidate for the office of _____ in said city for the term of _____ years at the election to be held in this City on the _____ day of _____ next. We further state that we know said _____ to possess the qualifications necessary for said office and to be in our judgment a fit and proper person to hold said office. Witness our hands on this the _____ day of _____ 19 ____." At every such election all ballots to be used by the voters shall be printed and prepared by the said city at its expense.

No name shall appear upon said ballot as a candidate for election except the names of such persons as have become candidates according to the provisions of this subdivision; and no ballot shall be used at any such election except the official ballot prepared as herein provided. At every such election the judge of probate, sheriff and clerk of the circuit court of the county in which such city is situated, or a majority of them acting as an appointing board, must not more than ten nor less than five days before the holding of such election, appoint from the qualified electors of the respective voting places three inspectors and two clerks for each place of voting, and a returning officer for each precinct, to act at the place of holding elections in each precinct in such city. All candidates of political parties shall in addition to any affidavit required by such party authority make and file in the office of the judge of probate of the county in which said city is situated the affidavit required to be filed by independent candidates. All elections held under this subdivision shall, where applicable and not in conflict with this subdivision, be governed and conducted in all respects as provided under chapter 1 of title 17. No petition shall be required of party candidates.

(b) The members of the Board of Commissioners shall be designated as follows: President of the Board of Commissioners; Associate Com-

missioner Number One; and Associate Commissioner Number Two. The Associate Commissioner older in point of service at the time of approval of this Act shall be Associate Commissioner Number One. The Associate Commissioner younger in point of service at the time of approval of this Act shall be Associate Commissioner Number Two. After the present term of office, each Associate Commissioner shall be designated by the number of the office to which he is elected. In all primary and general elections held for the purpose of nominating or electing members of the Board of Commissioners each of such positions to be filled shall be designated as provided in this Section, and shall appear on the ballots of such elections designated accordingly. Each candidate for nomination or election as a member of the Board of Commissioners shall designate in the announcement and declaration of his candidacy the position to which he is seeking nomination or election and his name shall appear on the ballots of such election accordingly.

Journal—July 22-29, Aug. 5-12

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, F. H. Hurston, a Notary Public, in and for said County, in said State, personally appeared P. W. Walsh, who is known to me and who being by me first duly sworn doth depose and say as follows: That he is Advertising Manager of The Advertiser Company, publishers of The Alabama Journal, a newspaper of general circulation published in Montgomery County, State of Alabama; that the attached notice of proposed local law was published once a week for four consecutive weeks in said Alabama Journal in the issues thereof of July 22, July 29, August 5, and August 12, 1949.

P. W. WALSH.

Sworn to and subscribed before me this 16 day of August, 1949, and in witness whereof, I have hereto affixed my official seal.

F. H. HURSTON,
Notary Public, Montgomery County, Alabama.

By Mr. Harvey:

S. B. 637. To amend Sections 4 and 8 of an Act entitled "To establish an inferior court in Blount County, Alabama, with concurrent jurisdiction of Justice of the Peace Courts in said County and to define the jurisdiction and powers of said Court and the Judge thereof; to provide for the execution of processes of said Court and the operation thereof, to provide for the effect of recorded judgments of said Court, to provide for the appointment, election and term of office, qualifications and compensations of the judge thereof, and to provide the place and times of the holding of such Court," approved July 17, 1931.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that at the present session of the legislature the following local act will be introduced and passed.

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 4 and 8 of an Act entitled "To establish an inferior court in Blount County, Alabama, with concurrent jurisdiction of Justice of the Peace Courts in said County and to define the jurisdiction and powers of said Court and to define the jurisdiction and powers of said Court and the Judge thereof; to provide for the execution of processes of said Court and the operation thereof, to provide for the effect of recorded judgments of said Court, to provide for the appointment, election and term of office, qualifications and compensations of the judge thereof, and to provide the place and times of the holding of such Court," approved July 17, 1931.

Be It Enacted by the Legislature of Alabama:

Section 1. That Sections 4 and 8 of an Act entitled "To establish an inferior court in Blount County, Alabama, with concurrent jurisdiction of Justice of the Peace Courts in said County and to define the jurisdiction and powers of Justice of the Peace Courts in said County and to define the jurisdiction and powers of said Court and the Judge thereof; to provide for the execution of processes of said Court and the operation thereof, to provide for the effect of recorded judgments of said Court, to provide for the appointment, election and term of office, qualifications and compensations of the judge thereof, and to provide the place and times of the holding of such Court," approved July 17, 1931, be and the same are hereby amended so as to read as follows:

"Section 4. That the judge of said court shall receive as compensation for his services in criminal cases the same fee now allowed under the general law in the county courts of the several counties of the State, which fee shall be taxed and collected as now or may hereafter be provided by law. In the event any case tried before said court is not prossed or the defendant is not convicted, the judge shall receive the same fee in like cases as those allowed in county courts."

"Section 8. That said court shall have jurisdiction in all civil cases to the amount of five hundred dollars, except in cases of libel, slander, assault, and battery, and ejection and shall have and exercise all the jurisdiction in criminal cases or offenses where the justices of the peace now have jurisdiction, and to issue all such processes, both civil and criminal as are by law authorized to be issued by justices of the peace, or that may hereafter be by law conferred upon justices of the peace. For the services of the judge in civil cases, his compensation shall be as follows: In cases which involve fifty dollars or less, he shall receive one dollar; in cases involving more than fifty dollars, up to and including one hundred dollars, he shall receive one dollar and fifty cents; in cases involving more than one hundred dollars, up to and including two hundred dollars, he shall receive two dollars and fifty cents; in cases involving more than two hundred dollars, up to and including three hundred dollars, he shall receive three dollars and fifty cents; in cases involving more than three hundred dollars, up to and including four hundred dollars, he shall receive four dollars and fifty cents; in cases involving four hundred dollars up to and including five hundred dollars, he shall receive five dollars. Such cost shall be taxed and collected as provided in justices of the peace courts. The clerk of the Circuit Court shall act as clerk of th inferior court of Blount County and for his services in said court, he shall receive the same compensation for like services rendered in the Circuit Court.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

N. C. DENTON,
Representative.
B. C. HARVEY,
Senator.

THE STATE OF ALABAMA
BLOUNT COUNTY

Personally appeared before the undersigned authority, Rice M. Howard, who, being duly sworn, deposes and says that he is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed Local Legislation was published for 4 consecutive weeks in said newspaper, commencing on the 21st day of July, 1949, and ending on the 11th day of August, 1949.

RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me this 15th day of August, 1949.

J. E. BAINS,
Notary Public.

By Mr. Hardwick:

S. B. 638. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama, be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of said City all of the following described territory:

Beginning at the Southeast corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 3, North, Range 26 East, and running West along the section line to the Southwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 3 North, Range 26 East, said point being on the present City limits thence, running North along the half section line; said line being the present City limit line to the Northwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 3, North Range 26 East, thence East along the said City limits line to the NE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Townshipp 3 North, Range 26 East, thence South to the SE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 3 North, Range 26 East, said corner being the point of beginning, containing 40 acres, more or less.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall be effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertise-

ment appeared once a week for four successive weeks, on the following dates: July 25, August 1, 8, 15, 1949; in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

J. T. LANE, JR.

Sworn to and subscribed before me on this 15 day of August, 1949.

LOIS P. HALL,
Notary Public.

By Mr. Gulledge:

S. B. 639. To amend Act Number 162, H. B. 152 approved August 21, 1923 (Local Acts of Alabama, 1923 pp. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary, and to provide for the election of the County Treasurer of Chilton County, Alabama by the qualified voters of said County."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT RELATING TO CHILTON COUNTY

To amend Act Number 162, H. B. 152 approved August 21, 1923, (Local Acts of Alabama, 1923 PP. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary, and to provide for the election of the County Treasurer of Chilton County, Alabama, by the qualified voters of said County."

Be It Enacted by the Legislature of Alabama:

That Act Number 162, H. B. 152 approved August 21, 1923 (Local Acts of Alabama, 1923 PP. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary; and to provide for the election of the County Treasurer of Chilton County, Alabama, by the qualified voters of said County," is amended, as follows:

1st. By adding thereto Section Numbered 4½, as follows:

That the County Treasurer install and maintain a correct file of cards showing the signature of all County officials and employees, and such cards shall be filed with the County Treasurer before the payment of any warrants to such officials or employees.

2nd. By adding to said Act Section 4¾, as follows:

That the Treasurer of Chilton County, Alabama, shall be paid the sum of \$125.00 per month, payable at the end of each month, out of the funds of said County, upon warrant drawn as other claims against said County.

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 29-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
CHILTON COUNTY

Personally appeared before the undersigned, a Notary Public in and for said county and state, R. M. Tucker, Publisher of the Chilton County

News, a newspaper publisher at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in four consecutive issues as follows to-wit:

21st day of July, 1949.

28th day of July, 1949.

4th day of August, 1949.

11th day of August, 1949.

R. M. TUCKER,
Publisher.

Subscribed and sworn to before me this 11th day of August, 1949.

HUGH JONES,
Notary Public.

By Mr. Gulledge:

S. B. 640. For the relief of C. O. Lawrence, M. D., and to authorize, empower and direct the Court of County Commissioners of Chilton County, Alabama, and the Treasurer of Chilton County, Alabama, to pay to the said C. O. Lawrence, M. D., the sum of \$57.00 out of the general fund of the Treasury of said County, not otherwise appropriated, in order to reimburse the said C. O. Lawrence, M. D., for medical services and other services rendered by him on account of the injuries to the said Bertha Martin, caused by the caterpillar patrol owned and operated by Chilton County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

is hereby given that the following act will be introduced at the present session of the Legislature of the State of Alabama:

AN ACT

A bill entitled an act for the relief of C. O. Lawrence, M. D., and to authorize, empower and direct the Court of County Commissioners of Chilton County, Alabama, and the Treasurer of Chilton County, Alabama, to pay to the said C. O. Lawrence, M. D., the sum of \$57.00 out of the general fund of the Treasury of said County, not otherwise appropriated, in order to reimburse the said C. O. Lawrence, M. D., for medical services and other services rendered by him on account of the injuries to the said Bertha Martin, caused by the caterpillar patrol owned and operated by Chilton County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Court of County Commissioners and the County Treasurer of Chilton County, Alabama, are hereby authorized, empowered and directed to pay to the said C. O. Lawrence, M. D., the sum of \$57.00 out of any money in the general funds of the Treasury of Chilton County, Alabama, not otherwise appropriated, in order to pay for the medical and other services rendered by the said C. O. Lawrence, M. D., and being necessary to give proper medical treatment and attention to Bertha Martin on account of injuries which were caused by a caterpillar patrol owned by Chilton County, Alabama, and being used in the repair and construction of its public roads.

Section 2. That the County Treasurer of Chilton County, Alabama, be and he is hereby directed and ordered to pay said sum on a warrant drawn out of the general fund of said county. 24-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Personally appeared before the undersigned, a Notary Public in and for said county and state, R. M. Tucker, Publisher of the Chilton County News, a newspaper publisher at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of

16 day of June, 1949.

23 day of June, 1949.

30 day of June, 1949.

7 day of July, 1949.

R. M. TUCKER,
Publisher.

Subscribed and sworn to before me this 18th day of July, 1949.

J. C. BENNETT,
Notary Public.

By Mr. Quarles:

S. B. 641. Applying in cities having a population of more than 17,500 and not more than 22,500 and having a mayor-council form of city government: providing for holding a referendum to determine whether members of the city council shall be elected from wards or from the city at large.

Committee on Local Legislation.

By Mr. Harvey:

S. B. 642. To abolish the Commissioners Court of Blount County, Alabama, and to establish in lieu thereof the Board of Revenue of Blount County, Alabama; to provide that said Board of Revenue shall consist of a chairman and four other members; to designate and name the first members of said Board and to provide for election of their successors; to fix the terms of office of the members of said Board; to prescribe the qualifications of the members of said Board; to divide the county into four districts; to prescribe and fix the terms and sessions of said Board and quorum thereof; to prescribe, fix and limit the powers, jurisdiction, duties and authority of said Board; to provide that all general laws which may hereafter be enacted affecting county governing bodies shall apply to said Board; to provide for and fix the compensation of the members of said Board; to provide for the filling of any vacancies that may occur on said Board.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

NOTICE is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the commissioners Court of Blount County, Alabama, and to establish in lieu thereof the Board of Revenue of Blount County, Alabama; to provide that said Board of Revenue shall consist of a chairman and four other members; to designate and name the first members of said Board and to provide for election of their successors; to fix the terms of office of the members of said Board; to prescribe the qualifications of the members of said Board; to divide the county into four districts; to prescribe and fix the terms and sessions of said Board and quorum thereof; to prescribe, fix and limit the powers, jurisdiction, duties and authority of said Board; to provide that all general laws which may hereafter be enacted affecting county governing bodies shall apply to said Board; to provide for and fix the compensation of the members of said Board; to provide for the filling of any vacancies that may occur on said Board.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Commissioners Court of Blount County, Alabama, as now established by law, be and the same is hereby abolished; that there is hereby created and established in lieu of the Commissioners Court of Blount County a Board of Revenue of Blount County; that the Board of Revenue of Blount County shall be composed of a chairman and four other members as hereinafter provided, and that said Board of Revenue of Blount County shall be the governing body of Blount County, Alabama.

Section 2. That the first members of said Board of Revenue shall be the same persons as now compose the Commissioners Court of Blount County, Alabama as now constituted. The Probate Judge of Blount County shall be the chairman of the Board and shall hold office as such chairman during the tenure of his office as Probate Judge of Blount County; that W. P. (Pete) Copeland shall be the first member of said Board from District No. 2, and he shall hold office until the first Monday after the second Tuesday in January, 1953, and until his successor is elected and qualified; that A. S. McCay shall be the first member of said Board from District No. 4 and shall hold office until the first Monday after the second Tuesday in January, 1953, and until his successor is elected and qualified; that Fred Boren shall be the first member of said Board from District No. 1 and shall hold office until the first Monday after the second Tuesday in January, 1951, and until his successor is elected and qualified; that Joe H. Lewis shall be the first member of said Board from District No. 3 and shall hold office until the first Monday after the second Tuesday in January, 1951, and until his successor is elected and qualified.

Section 3. That the County of Blount is hereby divided in four Districts, said Districts to have the same boundaries and to bear the same numbers as now provided by law.

Section 4. That each of the members of said Board shall be a qualified elector of the district from which he is elected and shall be nomi-

nated by the qualified electors of the District and elected by the qualified electors of said county; that the successors of the members of the Board herein designated for Districts 2 and 4 shall be elected at the general election in 1952 and every four years thereafter; that the successors to the members of the Board herein designated as Districts 1 and 3 shall be elected at the general election in 1950 and every four years thereafter; that the terms of office of each of said members shall begin on the first Monday after the second Tuesday in January after his election and shall continue for a term of four years thereafter and until his successor is elected and qualified.

Section 5. That any vacancy occurring on said Board shall be filled by appointment of the other members of said Board. If the other members of said Board should fail to fill such vacancy within fifteen days after such vacancy has occurred, the members of said Board shall forfeit their right to fill such vacancy and such vacancy shall be certified to the Governor by the Circuit Clerk of Blount County, Alabama, and thereupon the Governor shall appoint someone to fill such vacancy. Such appointment shall be for the unexpired term for which such person is appointed and such appointee shall hold office for said unexpired term and until his successor is elected and qualified.

Section 6. That said Board of Revenue shall be the governing body of Blount County, and shall have all jurisdiction, powers and authority now granted to or conferred upon courts of county commissioners, boards of revenue or other like governing bodies by the general laws of the State of Alabama or by any local law for Blount County not in conflict herewith, and shall be subject to the same restrictions and responsibilities; that said Board shall have power and authority to manage and control all property and funds of Blount County as it may deem expedient according to law, to acquire and dispose of property as may be found necessary for county purposes; to levy taxes for general purposes and for all special purposes provided by law; to examine, settle and allow all claims, accounts and things chargeable against the county; to audit and settle all accounts of all officers having the care, management, collection or disbursement of money belonging to the county or appropriated for the use or benefit of said county; to have control of the convict labor of said county and the disbursement of the proceeds thereof as is or hereafter may be authorized by law; to have control of and make provisions for the poor of said county as may be provided by law; to enforce the payment of all debts and obligations which may be now owing or which may be hereafter due or owing to said county by any person, firm or corporation; to make or authorize the making of all county contracts deemed necessary and to bind said county in any lawful contract as provided by law; to provide for the purchase and payment of all necessary stationery, office material and supplies, furniture and fixtures necessary or convenient for the use of said Board for the use of all officers of said county.

Section 7. That said Board of Revenue shall maintain an office in the Courthouse of said county where all its meetings shall be held and all of its records kept; that said Board shall hold its regular sessions or meetings on the second Monday in each month and may continue in session as long as may be necessary to conduct the business of said county; that said Board may adjourn its meetings or sessions from time to time as may be found necessary or convenient to conduct the business of said county; that said Board may hold meetings or sessions at any time upon call of the chairman and notice given to each member of said Board; that a majority of all members of said Board shall constitute a quorum of said Board for the transaction of all business; that any members less than a quorum may adjourn the sessions or meetings of said Board until another day.

Section 8. That the chairman of said Board shall be its presiding

officer; he shall have a vote on all matters coming before said Board and shall have the same power and authority as any other member in passing on all questions before said Board; he shall sign the minutes of the proceedings of said Board and shall sign all warrants drawn on the County Treasurer or County Depository, and all orders for the payment or disbursement of the funds of the county, and shall sign all contracts entered into by the County of Blount through the said Board and shall sign all deeds or conveyances to property sold by said county; it shall be the duty of said chairman to prepare business and obtain information for all meetings of said Board and see that all orders thereof are properly executed; should said chairman be disabled to act or should he be absent from any meeting of said Board, then the other members of said Board shall by resolution, duly entered on the minutes, appoint one of the other members of said Board as acting chairman and such acting chairman shall have all the authority and shall perform all the duties of the chairman during his absence or disability.

Section 9. That all members of the Board except the probate judge who shall receive the same compensation as the presiding judge of courts of county commissioners, shall each be paid an annual salary of \$2,400.00 payable in equal monthly installments of \$200.00, per month by warrant issued by said Board and signed by the chairman; that said salaries shall be in lieu of all other compensation and expenses, including all per diem, mileage, expenses or fees. Each member of said Board shall at his own expense and without cost to the county furnish his own transportation for performing his official duties and shall not be entitled to the use of gasoline, oil or other products belonging to the county; said salary may be paid, either in whole or in part, out of the county road and bridge fund, the county general fund or the county gasoline tax fund, or by apportionment among said funds, as the Board may from time to time determine.

Section 10. That said Board shall have the authority to employ a clerk for said Board and to fix his salary. It shall be the duty of the clerk to attend the meetings of said Board and perform such other duties as may be prescribed for him by the Board. The term of office of said clerk shall be at the pleasure of said Board and the salary of said clerk shall be paid in the same manner and from the same funds as the salaries of the members of said Board.

Section 11. That said Board shall have general supervision over the highways, roads and bridges of Blount County, as provided by the general laws of the State of Alabama; it shall be the duty of said Board to construct and maintain a good county wide system of public roads so far as is consistent with the finances available; said Board shall employ all labor necessary in such construction and maintenance where the work is done by the county, and the Board shall classify all employees engaged in the construction and maintenance of roads and bridges in the county and shall fix a uniform salary and wage scale for each classification.

Section 12. That said Board shall have the power and authority to employ a county engineer to supervise and direct the construction and maintenance of roads and bridges for the entire county; that such engineer shall be subject to the jurisdiction and direction of said Board and his qualifications, salary and terms of employment shall be fixed by said Board.

Section 13. That the official bonds heretofore made and filed by the members of the Board of Revenue, given as members of the Commissioners Court of Blount County, shall continue and remain in effect, for the terms for which they were given, as bonds of said individuals as members of the Board of Revenue and shall cover their official acts and duties as members of said Board of Revenue; when said bonds expire then the members of said Board shall be required to make official bonds in amounts and to be approved in the manner as required by the general

laws of the State of Alabama. The Board of Revenue may in its discretion require any person employed by it to give a bond in such amount and with such sureties as it may determine; such bond, if required, shall be made payable to Blount County, be approved by said Board and filed and recorded in the office of said Board. The premium on the bonds of the members of said Board and on the bonds of any employee, if required, shall be paid by Blount County.

Section 14. That all laws and parts of laws, both general, local and special, in conflict with the provisions of this Act, be, and the same are hereby repealed.

Section 15. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

N. C. DENTON,
Representative.
C. B. HARVEY,
Senator.

21July4t

THE STATE OF ALABAMA BLOUNT COUNTY

Personally appeared before the undersigned authority, Rice M. Howard, who, being duly sworn, deposes and says that he is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of Local Legislation was published for 4 consecutive weeks in said newspaper, commencing on the 21st day of July, 1949, and ending on the 11th day of August, 1949.

RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me this 15th day of August, 1949.

J. E. BAINS,
Notary Public.

REPORTS OF COMMITTEES

Mr. Cater, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mitchell:

H. 486. To propose an amendment to the Constitution of Alabama, 1901, to authorize the several school districts of Cherokee County, Alabama, to levy and collect a special district tax of fifty cents on each one hundred dollars worth of taxable property in such districts for public school purposes, and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the legislature.

The above Bill was read a second time, at length, as required by the Constitution.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session,

had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Roberts:

H. 44. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

By Mr. Sellers:

H. 191. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

By Mr. Pinson:

H. 190. To make an appropriation for the support and maintenance of the Tuskegee Institute.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment and it was read a second time and placed on the calendar, to-wit:

By Mr. Mize (with amendment):

S. 318. To repeal Act 710, approved October 9, 1947, and to make an appropriation to discharge the administrative expense incurred by the State Highway Patrol Retirement Board during the period from January 1, 1948, to September 30, 1949.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pinkston:

H. 810. To make it lawful for any party of whom a bond, undertaking, or other obligation is required, to agree with his surety or sureties for the joint control of any deposit of moneys and assets for which the principal and his surety or sureties are or may be held responsible.

Mr. Clayton, Chairman of the Standing Committee on Privileges and Elections reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McGowin:

H. 785. To amend Section 68 of Title 29 of the 1940 Code of Alabama which relates to elections to determine classification of counties as wet or dry counties.

Mr. Owens, Chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said Commit-

tee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owens:

S. 628. To make a finding of fact concerning the subject of this Act and to declare the necessity for the adoption of this Act; to provide that it shall be a misdemeanor for a member of the white race to move into, for the purpose of establishing a permanent residence, or having moved into, to continue to reside in an area in the State of Alabama generally and historically recognized at the time as an area for occupancy by members of the colored race; to provide that it shall be a misdemeanor for a member of the colored race to move into, for the purpose of establishing a permanent residence, or, having moved into, to continue to reside in an area in the State of Alabama generally and historically recognized at the time as an area for occupancy by members of the white race; to define the words "permanent residence" as used in this Act; to define separate offenses under this Act; to provide a penalty for violation of this Act.

RESOLUTIONS

Mr. Hooton offered the following Senate Joint Resolution, to-wit:

S. J. R. 69. RESOLVED BY THE SENATE OF ALABAMA THE HOUSE OF REPRESENTATIVES CONCURRING that Senate Bill # 148 be known as the George, Head, Hooton Bill

And on motion of Mr. Hooton the Rules were suspended and the Resolution adopted by the Senate.

Mr. Mize offered the following Senate Joint Resolution, to-wit:

S. J. R. 70. BE IT RESOLVED by the Senate of Alabama, the House concurring that S. B. No. 468 which has passed both Houses be known as the Mize, Callahan, Shelton Bill.

And on motion of Mr. Mize the Rules were suspended and the Resolution adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 919. To amend Act No. 215 of the regular session of the Legislature of Alabama of 1947, Approved July 24, 1947 (General Acts of Alabama of 1947, Page 81 Et Seq.) Entitled "An Act to provide, in any city of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal Census, for the incorporation of an authority to lease, or own, or otherwise acquire and provide, control and operate fairgrounds, parks, exhibits, exhibitions and other installation, facilities and places for the amusement, entertainment, recreation and

cultural development of the citizens of such city; to provide for the management of said authority by a Board of Directors; to provide for the appointment, and term of office and removal of said Directors; to provide for the powers of such authority; to authorize the City to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions of which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the City to make appropriations or to lend money to the authority; and to accord the authority exemption from State, County and City taxation".

Also:

H. 966. To abolish the Board of Commissioners of the City of Bessemer, Alabama; to provide in lieu thereof a Board of Commissioners for said City; to provide for the number and designation of the members of the said Board of Commissioners, their mode, manner and time of election and their terms of office; to provide for the authority, powers and rights of the members thereof; to provide for the separate departments of government of said Board and to designate the heads of such departments; to provide for the meetings of said Board and the presiding officer thereof; to provide for the giving of security bond by the members thereof; to provide for the qualifications of the officers and employees of said City, and to prohibit them from being interested in certain contracts of work; to provide for the publication of the financial conditions and of audits of said City; to provide for the method of filling vacancies in said Board; to provide for the salary of the members of said Board; to provide for the public meetings of said Board and procedure therein; to provide for the regulation of municipal elections in said City; to provide for the method and manner of changing the form of government of said City; to provide for the recall of officers of said City; to provide for regulations as to the manner and presentation of petitions; to provide for Recorder, his qualifications, duties and compensation; to provide for the effect of the constitutionality of any portion of this Act; and to provide when this Act shall take effect.

Also:

H. 967. To amend Section 84, Title 52, of the Alabama Code of 1940, insofar as said Section relates to counties having a population of 400,000 or more, according to the last or any succeeding Federal census.

Also:

H. 970. To amend Sections 5 and 6 of Act No. 414 of the Legislature of Alabama of 1947 (General Acts of 1947, p. 304), which fixes, levies, and requires the payment of a license tax on cigarettes and other tobacco products in counties having a population of 400,000 or more, according to the last or any subsequent Federal census.

Also:

H. 971. To further amend an Act of the Legislature, approved July 8, 1943, General Acts of Alabama of 1943, Page 390, entitled "An Act to apply in but only in, counties which have a population of 400,000 or more, according to the last or any subsequent Federal Census, and which counties are Wet Counties under Section 68 of Title 29 of the 1940 Code of Alabama; and to require the payment to such counties of a license tax, in addition to all other taxes and licenses now required by law, of one cent on each twelve fluid ounces or fractional part thereof of malt or brewed beverages sold, distributed, delivered, stored, or taken out of

storage within such counties; and to provide for the ascertainment collection, payment and distribution of such license tax and for the enforcement of this Act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this Act; to repeal any existing ordinances or statutes in conflict with the provisions of this Act", as heretofore amended.

Also:

H. 973. To provide for meetings of the Court of County Commissioners of Coffee County at Elba and Enterprise.

Also:

H. 975. To provide in all counties in this State having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent Federal census, for an action of ejectment to recover possession of real property sold under an agreement of sale whereby title to said real property is retained until full payment of the purchase price is made when default has been made in the payments provided for by such agreement of sale and to provide for the redemption of such property.

Also:

H. J. R. 124. Relative to naming House Bill No. 956 the Clayton, Wallace, Thomas Bill.

Also:

H. J. R. 126. Relative to House Bill 453 being known as the Mitchell, O'Neal, Owens and Burnside bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Merrill:

H. J. R. 130. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Clerk of the House and Secretary of the Senate each be authorized and empowered to employ eight (8) additional clerks to those now provided, for the remainder of this session of the Legislature and for four (4) weeks after final adjournment of the Legislature.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 130, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

H. 894. To alter or Re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Kendall	Owens	
Allen	Hardwick	Lamberth	Patterson	
Barrett	Harvey	Langan	Patton	
Boutwell	Henderson	Lowe	Russell	
Clayton	Hooton	Mize	Wright	
Coleman	Hughes			—21

Nays:

—0

The Bill:

H. 893. To alter or re-arrange the boundary lines of the City of Attalla, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Kendall	Owens	
Allen	Hardwick	Lamberth	Patterson	
Barrett	Harvey	Langan	Patton	
Boutwell	Henderson	Lowe	Russell	
Clayton	Hooton	Mize	Wright	
Coleman	Hughes			—21

Nays:

—0

The Bill:

S. 613. Relating to the Board of Education of Tuscaloosa County; authorizing the board to expend public school funds to provide office supplies and equipment for use in the office of the Superintendent of Education.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Lamberth	Patterson	
Allen	Gulledge	Langan	Quarles	
Barrett	Hardwick	Lowe	Summerlin	
Boutwell	Harvey	Mize	Swift	
Cater	Henderson	Owens	Wright	
Coleman	Hooton			—21

Nays:

—0

The Bill:

S. 620. To amend Act No. 200, which passed the Senate on June 28, 1949 and passed the House on July 6, 1949, said Act being entitled "An Act to propose an amendment to the Constitution of Alabama 1901, to authorize the governing body of Marion County, Alabama, to issue bonds, warrants, or other evidences of indebtedness and to pledge in payment of the principal and interest due upon any such bonds, warrants, or other evidences of indebtedness, only the proceeds derived, or to be derived, from any special county privilege, license or excise taxes heretofore or hereafter levied and collected within Marion County, Alabama, for the sole and exclusive purpose of constructing, equipping operating, maintaining or improving public hospitals or related hospital or health facilities, including clinics, nursing homes, public health centers and laboratory facilities, or for such other public purposes of any kind and description as in the judgment of the governing body of the county of Marion is meet and proper, and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature."

Was read a third time at length as required by the Constitution and passed and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Cooper	Hughes	Owens	
Allen	Fite	Kendall	Patterson	
Barrett	Glover	Kimbrell	Perry	
Boutwell	Gulledge	Lamberth	Quarles	
Bridges	Harvey	Langan	Russell	
Cater	Henderson	Lowe	Summerlin	
Clayton	Hooton	Mize	Wright	
Coleman	Howle			—29

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendments to the following bills:

H. 451. To amend Section 154 of Title 41 of the Code of Alabama 1940, as amended by Act No. 238, General Acts of Alabama, Regular Session 1943, Page 195, Approved June 22, 1943, to provide for expenses per day and traveling expenses.

Also:

H. 968. To amend an Act of the Legislature, approved September 16, 1947, (General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

By Mr. Hooton:

S. J. R. No. 69. Relative to naming Senate Bill No. 148.

By Mr. Mize:

S. J. R. No. 70. Relative to naming Senate Bill No. 468.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Johnston and Sullivan:

H. J. R. 129. WHEREAS, the Honorable Walter D. Bellingrath has been an outstanding citizen of Mobile and the State of Alabama, and

WHEREAS, he and his beloved wife have created in Mobile County "The Charm Spot of the Deep South", which brings to Alabama many thousands of visitors, and

WHEREAS, this Garden, one of the most beautiful in the nation is one of Alabama's great advertising assets, and

WHEREAS, on Saturday, August 6th, Walter D. Bellingrath celebrated his eightieth birthday,

BE IT THEREFORE RESOLVED by the Legislature of Alabama that we extend to Walter D. Bellingrath our heartiest congratulations on this mile stone in his life and thank him sincerely for the outstanding contribution he has made to Alabama's industrial, commercial and cultural life.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Langan the Rules were suspended, and the Resolution H. J. R. 129, set out in the foregoing message from the House was concurred in and adopted.

At 11 o'clock A. M., Mr. Harvey moved that further reading of the Journal at length be dispensed with, and on objection of Mr. Henderson, the Secretary continued with the reading at length of the Journal of yesterday.

BILLS ON THIRD READING RESUMED

The Bill:

H. 935. To require the coroner of Walker County, Alabama, to investigate all cases of death in instances where persons die in said county without having been attended by a physician and to file certificates of death with the health officer of Walker County, Alabama, and to prescribe the compensation of the coroner and the manner of its payment.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Burnside
Cater
Clayton
Coleman
Cooper

Gulledge
Hardwick
Harvey
Henderson
Hooton
Howle

Hughes
Kendall
Kimbrell
Lamberth
Langan

Patterson
Quarles
Russell
Summerlin
Swift

—21

Nays:

—0

The Bill:

H. 936. To fix the term of office of the Tax Assessor of Walker County, Alabama, and to provide for his election.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Hughes	Patterson	
Burnside	Hardwick	Kendall	Quarles	
Cater	Harvey	Kimbrell	Russell	
Clayton	Henderson	Lamberth	Summerlin	
Coleman	Hooton	Langan	Swift	
Cooper	Howle			—21

Nays: —0

The Bill:

H. 937. To fix the term of office of the Tax Collector of Walker County, Alabama, and to provide for his election.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Hughes	Patterson	
Burnside	Hardwick	Kendall	Quarles	
Cater	Harvey	Kimbrell	Russell	
Clayton	Henderson	Lamberth	Summerlin	
Coleman	Hooton	Langan	Swift	
Cooper	Howle			—21

Nays: —0

The Bill:

H. 946. To repeal Act No. 488, S. B. 296, approved July 6, 1945, entitled "An Act To set a due date for the Fine and Forfeiture Fund certificates for Walker County to pay at least \$5,000.00 yearly out of any funds that they have to redeem said Fine and Forfeiture Fund," (Local Acts of Alabama, 1945, p. 190).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Hughes	Patterson	
Burnside	Hardwick	Kendall	Quarles	
Cater	Harvey	Kimbrell	Russell	
Clayton	Henderson	Lamberth	Summerlin	
Coleman	Hooton	Langan	Swift	
Cooper	Howle			—21

Nays: —0

The Bill:

H. 947. To repeal Act No. 579 H. B. 1010, approved October 9, 1947, entitled "An Act to abolish the fine and forfeiture fund of Walker County; to provide for the transfer of the fine and forfeiture funds into the general fund of the county and to provide

for registration and payment of officers script now outstanding or issued in the future," (Local Acts of Alabama, 1947, p. 394).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Hughes	Patterson
Burnside	Hardwick	Kendall	Quarles
Cater	Harvey	Kimbrell	Russell
Clayton	Henderson	Lamberth	Summerlin
Coleman	Hooton	Langan	Swift
Cooper	Howle		

—21

Nays:

—0

RESOLUTION

Mr. Patterson offered the following Senate Resolution, to-wit:

S. R. 71. Be It Resolved by the Senate that we thank and commend the Honorable Will O. Walton, a former distinguished member of this body for his timely, appropriate and very interesting and enjoyable discourse to this body on Tuesday, August 16, 1949, and that a copy of this resolution be sent by the Secretary of the Senate to this gentleman and a copy be spread upon the Journal.

The Rules were suspended and the Resolution adopted.

At 11:35 A. M., Mr. Hooton moved that further reading of the Journal of yesterday be dispensed with, and on objection of Mr. Lowe, the Secretary continued with the reading at length of the Journal of yesterday.

REPORT FROM RULES

Mr. Swift, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 130. Relative to Clerk of the House and Secy. of the Senate employing eight additional clerks for remainder of session and for four weeks after final adjournment.

And the resolution was then adopted by the Senate.

RESOLUTION

Messrs. Cater and Quarles offered the following Senate Joint Resolution to wit:

S. J. R. 72. WHEREAS, the members of the Legislature consider it inappropriate and lacking in respect for and deference to

the flags of the United States and the State of Alabama for a person who has been convicted of crime to raise and lower the flags, now therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. The Chief of the Division of Service is hereby requested to have some person other than a convict raise and lower the flags of the United States and the State of Alabama at the Capitol.

2. The Secretary of the Senate is directed to transmit a copy of this Resolution to the Chief of the Division of Service.

The Resolution was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the following bill:

H. B. 351. To provide for absentee voting in primary, general, special, and municipal elections: prescribing penalties for violations of the Act and repealing conflicting laws.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House:

Messrs. Morring, Cox and Malone.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Allen the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate Amendment to the Bill, H. B. 351, the Title of which is set out in the foregoing message from the House.

And the President and Presiding Officer of the Senate appointed as conferees on part of the Senate Messrs. Kendall, Patterson, and Boutwell.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 602. Relating to Marengo County: To divide the county into four forest-protection districts, creating the offices of Chief Forest Warden for the county and District Forest Warden for each district, prescribing the duties of such officers, fixing their compensation, and imposing such duties upon the President and members of the Board of Revenue ex officio.

Also:

S. 604. To amend Section 3, Section 7, and Section 8 of Senate Bill 365 of the local acts of the Legislature of Alabama, 1947, approved October 2, 1947, entitled "An Act to provide for collection of delinquent court costs and fees in Jefferson County."

Also:

S. 607. To vacate and abandon certain parks in the Survey of Oakwood Estates in the City of Birmingham, County of Jefferson, State of Alabama.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

By Mr. Quarles:

S. 603. To fix the compensation of the members of the county governing body, exclusive of the judge of probate, in each county in the State having a population of not less than fifty-two thousand and not more than sixty-three thousand, according to the last or any subsequent federal census; and to provide for the payment of the same.

Also:

By Mr. Patton:

S. 598. To amend Title 37, Section 667, of the 1940 Code of Alabama.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

REPORT FROM RULES

Mr. Swift, Chairman of the Standing Committee on Rules, reported that said Committee in session, had acted on the message from the Governor relative to H. B. 185, and ordered same returned to the Senate with favorable report to-wit:

MESSAGE FROM THE GOVERNOR, proposing an amendment to House Bill 185.

FURTHER CONSIDERATION OF HOUSE AND GOVERNOR'S MESSAGE

The Senate then proceeded to further consideration of said Governor's Message, which message is set out at length in the Journal of the Senate of the Twenty-third Legislative day, and on motion of Mr. Allen the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

H. 185. To amend Section 30 of Title 41 of the 1940 Code of Alabama which relates to appropriation for rental of office spaces.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Mize
Allen	Gaither	Hughes	Owens
Barrett	Glover	Kendall	Patterson
Boutwell	Gulledge	Kimbrell	Patton
Burnside	Hardwick	Lamberth	Quarles
Clayton	Harvey	Langan	Swift
Coleman	Henderson	Lowe	Wright
Cooper	Hooton		

—29

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended, by the Executive amendment was again read at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fite	Hooton	Lowe
Allen	Gaither	Howle	Mize
Barrett	Glover	Hughes	Owens
Boutwell	Gulledge	Kendall	Patterson
Burnside	Hardwick	Kimbrell	Patton
Clayton	Harvey	Lamberth	Swift
Coleman	Henderson	Langan	Wright

—27

Nays:

—0

Which was a majority of the whole number elected to the Senate.

REPORT FROM RULES COMMITTEE

Mr. Swift, Chairman of the Standing Committee on Rules, reported that said Committee in session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report, with substitute, to wit:

S. R. 55. Relative to appointment of a committee to study Standing Committees of Senate, to devise a plan for assigning and limiting committee memberships so that no Senator shall serve simultaneously on Finance and Taxation, Judiciary, and Education Committees; and to make a report for revision of Senate Rules pertaining to Standing Committee organization.

And the Rules Committee reported the following substitute for the Resolution to-wit:

WHEREAS, the standing committees of the Senate which are charged with the responsibility of studying and making decisions concerning pending legislation are vital to the legislative process; and

WHEREAS, the thirty Senate standing committees now being maintained for a total membership of thirty-five Senators is deemed to be excessive; and

WHEREAS, the present large number of committee memberships assigned to each Senator imposes an undue hardship and hampers the scheduling and conduct of committee meetings; and

WHEREAS, three-fourths of the bills introduced are referred to three Senate standing committees, and there exists a need for balancing the work load among the Senate standing committees; and

WHEREAS, the present rules of the Senate need considerable study and possible revision; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA:

1. A Senate committee is hereby created whose duty it shall be: 1) to study the standing committee organization of the Senate for the purpose of reducing the number of committees and balancing the committee work loads; 2) to devise a plan for assigning and limiting committee memberships so that no Senator shall simultaneously serve on more than one of the following committees: the Finance and Taxation Committee, the Judiciary Committee, and the Education Committee; and 3) to make a report of recommendations for revision of the Senate rules pertaining to the Senate standing committee organization; and 4) to make a report of recommendations for any other revision of the Senate rules as considered necessary.

2. The membership of the committee shall be composed of three Senators appointed by the Lieutenant Governor. The committee shall meet from time to time during the 1949 regular legislative session, and members shall receive no additional compensation for services performed as a member of the committee. The committee is authorized to meet for one day only in the City of Montgomery after the final adjournment of the 1949 regular legislative session for the purpose of drafting and adopting its report. For attendance at this one meeting, members of the committee shall receive their actual expenses and no other compensation.

3. The committee shall make its report of findings and recommendations in writing. A copy of the report shall be filed with the Secretary of the Senate, and a copy of the report shall be mailed by the Secretary of the Senate to each person nominated by the Democratic Party to the office of State Senator at the primary elections of 1950.

And said substitute was then adopted by the Senate

Yeas 22; Nays 3.

Yeas:

Messrs.:	Cooper	Hughes	Patterson	
Allen	Gaither	Kendall	Patton	
Barrett	Glover	Kimbrell	Quarles	
Burnside	Gulledge	Langan	Swift	
Cater	Hardwick	Lowe	Wright	
Clayton	Howle	Owens		—22

Nays: Messrs. Coleman, Fite and Lamberth **—3**

And said Resolution, as amended by the substitute, was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 941, said Governor's message being in words and figures as follows, to-wit:

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, House Bill No. 941, with a suggested executive amendment.

Amend said bill by striking therefrom in Section 1, Line 2, the year "1943" and insert in lieu thereof "1947".

This suggested executive amendment is made with the full knowledge and consent of the authors of said bill, and if adopted will remove my objection to the bill.

Respectfully,

James E. Folsom,
JAMES E. FOLSOM,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 941, by a vote of Yeas 74, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 941. To amend Section 1 of Act 177 approved June 17, 1943, as amended by Section 1 of Act 89, approved July 7, 1947, which fixes the compensation of the Sheriff of Montgomery County and provides for help and assistants and other expenses in the office of the Sheriff, by increasing the allowance for help and assistants.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 73, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

The foregoing message from his Excellency, the Governor, proposing an amendment to the Bill, H. B. 941, the title of which

is set out in the foregoing message from the House, was read and referred to the Standing Committee on Rules.

At 12:10 P. M., Mr. Kendall moved that further reading at length of the Journal of yesterday be dispensed with, and on objection of Mr. Howle the Secretary continued with the reading at length of the Journal of yesterday.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Dumas and Gibson:

H. 907. To amend Sections 647, 648, 649 and 660 of Title 51 of the 1940 Code of Alabama, which relate to the excise tax on gasoline.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing message from the House was read one time and referred to appropriate Standing Committee as follows:

H. B. 907. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Sightler, Pinkston and Ingalls:

H. 1052. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Also:

By Messrs. Wallace and Thomas:

H. 1064. Authorizing the governing body of any county having a population of not less than 32,000 and not more than 42,000 inhabitants and two courthouses to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county.

Also:

By Messrs. Sightler, Pinkston and Ingalls:

H. 1054. To authorize the governing body of any municipality in the State of Alabama now having or hereafter having a population of as

many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing message from the House, were severally read one time and referred to appropriate standing committees as follows:

H. B. 1052. To the Committee on Municipalities and Municipal Organization.

H. B.'s 1064 and 1054. To the Committee on Local Legislation

At 12:20 p. m., on motion of Mr. Hooton, further reading at length of the Journal of yesterday was dispensed with and the Journal of the Senate for the Thirtieth Legislative Day was approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Whitcomb and Crocker:

H. 1046. To authorize the Tax Assessor of Marengo County to employ, at public expense, a clerk or assistant to aid him in the performance of his official duties; to fix the compensation to be paid to such clerk or assistant; and to provide for the payment of the same out of the general fund of Marengo County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of intention to apply for the passage of a local law for Marengo County, Alabama, at the 1949 Session of the Legislature of Alabama which convened on May 3, 1949, which local law reads as follows:

A BILL TO BE ENTITLED AN ACT

To authorize the Tax Assessor of Marengo County to employ, at public expense, a clerk or assistant to aid him in the performance of his official duties; to fix the compensation to be paid to such clerk or assistant; and to provide for the payment of the same out of the general fund of Marengo County.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Tax Assessor of Marengo County is hereby authorized to employ, at public expense, a clerk or assistant to aid him in the performance of his official duties.

Section 2. That the compensation to be paid such clerk or assistant shall be six hundred dollars (\$600.00) per year, payable out of the general fund of Marengo County in such amounts and at such times as the Tax Assessor of Marengo County shall certify to the Board of Revenue of Marengo County, that the same is due to the clerk or assistant so employed.

Section 3. That all laws and parts of laws in conflict herewith be and the same are hereby expressly repealed.

Section 4. That this Act shall become effective on October 1, 1949.

7-14-4t.

THE STATE OF ALABAMA MARENGO COUNTY

Before me, Freda W. Bradford a notary public in and for said County, in said State, personally appeared R. E. Sutton, who, being by me first duly sworn, deposes and says:

That he is the publisher of The Democrat-Reporter, a newspaper published at Linden, Marengo County, Alabama, and that the said Democrat-Reporter is a newspaper of general circulation in Marengo County, Alabama, and that the notice of

Local Bill to authorize Tax Assessor to employ clerk or assistant. copy of which is hereto attached, was published in said newspaper, The Democrat-Reporter, for four consecutive weeks, to-wit:—in the issues dated

July 14, 1949,

July 21, 1949,

July 28, 1949,

August 4, 1949,

and that each of said above issues was duly circulated among the subscribers of said newspaper, which said newspaper has been mailed under a second class mailing privilege of the United States Post Office where it is published for fifty-two (52) consecutive weeks prior to the publication of the above stated Local Bill

R. E. SUTTON,

Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this 8th day of Aug., 1949

FREDA W. BRADFORD,

Notary Public, Marengo County, Alabama.

My Commission expires 2-16 1952

Also:

By Messrs. Sullivan and Stone:

H. 905. To make it the duty of the Register of the Circuit Court of Mobile County, Alabama, in addition to his other duties, to keep a docket in which must be entered the number and the name of all cases appealed to the Supreme Court of Alabama, the date of the Appeal and date transcript for Supreme Court delivered to Appellant's Attorney; to make a list with the name and number of each case in which a motion is made for an interlocutory Order, for use on the day the Motions are set for hearing; to make monthly settings of all cases that are at issue and make lists thereof containing the number and name of the case and the date for which set and furnish copies of list to the Attorneys, and to provide extra compensation for such new and additional duties.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply to the next Session of the Legislature of Alabama, which begins on Tuesday May 3rd 1949 for the passage of a Local Act in words and figures as follows:

AN ACT

To make it the duty of the Register of the Circuit Court of Mobile County, Alabama in addition to his other duties to keep a docket in which must be entered the number and the name of all cases appealed to the Supreme Court of Alabama the date of the Appeal and date transcript for Supreme Court delivered to Appellant's Attorney; to make a list with the name and number of each case in which a motion is made for an interlocutory Order for use on the day the Motions are set for hearing! to make monthly settings of all cases that are at issue and make lists thereof containing the number and name of the case and the date for which set and furnish copies of lists to the Attorneys and to provide extra compensation for such new and additional duties.

Be It Enacted by the Legislature of Alabama, That

Section 1. It is hereby made the duty of the Register of the Circuit Court of Mobile County, Alabama in addition to his other duties, to keep a docket in which must be entered the number and the name of all cases appealed to the Supreme Court of Alabama the date of the Appeal and date transcript for Supreme Court was delivered to Appellant's Attorney; to make a list with the name and number of each case in which a Motion is made for an interlocutory Order, for use on the day the Motions are set for hearing; to make monthly settings of all cases that are at issue, and make lists thereof containing the number and name of the case and the date for which set and furnish copies of list to Attorneys and for such new and additional duties he is hereby awarded and shall be paid as an extra compensation the sum of twelve hundred dollars per annum which shall be in addition to the salary he now receives.

Section 2. The said sum of twelve hundred dollars per annum shall be paid in equal monthly installments to said Register in addition to the salary he now receives out of the General Fund of Mobile County, Alabama.

Section 3. This Act shall take effect upon its passage.
April 29; May 6, 13, 20.

STATE OF ALABAMA
COUNTY OF MOBILE

Personally appeared before me the undersigned authority in and for said state and county, C. M. Shepard, Jr., who being sworn deposes and says he is the Publisher of the Mobile Post, a weekly newspaper of general circulation, printed and published in Mobile County, Alabama, and that the attached advertisement was published in the Post on April 29; May 6, 13 and 20, 1949.

C. M. SHEPARD, JR.

Sworn and subscribed to before me on the 20 of May, 1949.

E. C. DOODY,

Notary Public, Mobile County, Alabama.

Also:

By Messrs. Stone and Sullivan:

H. 902. To require additional duties of the Clerk of the Circuit Court of Mobile County, Alabama, by requiring said Clerk to keep a separate docket in his office available to public inspection at any and all times the

said Clerk's office is open for business, in which said Clerk shall enter the number and style of each case appealed to the Supreme Court or Court of Appeals, the date of Judgment, the date of the appeal, the date the transcript on appeal is delivered to the Appellant's Attorney, and the date and ruling of the Supreme Court or Court of Appeals in each such appeal; to make a list with the number and style of each case in which a motion or demurrer is filed, for use on the day the said motions and demurrers are set for hearing; and, to make monthly settings or lists of all cases which are at issue and which are set for trial, containing the number and style of the case, the name of the attorneys, and the date for which set, and to furnish copy of such monthly settings or lists to the attorneys, and further to provide for additional compensation for such additional duties of said Clerk.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the next session of the Legislature of Alabama which meets beginning on Tuesday May 3rd 1949 for the passage of a Local Act in words and figures as follows:

AN ACT

To require additional duties of the Clerk of the Circuit Court of Mobile County, Alabama by requiring said Clerk to keep a separate docket in his office available to public inspection at any and all times the said Clerk's office is open for business, in which said Clerk shall enter the number and style of each case appealed to the Supreme Court or Court of Appeals the date of judgment the date of the appeal the date the transcript on appeal is delivered to the Appellant's Attorney and the date and ruling of the Supreme Court or Court of Appeals in each such appeal; to make a list with the number and style of each case in which a motion or demurrer is filed, for use on the day the said motions and demurrers are set for hearing; and, to make monthly settings or lists of all cases which are at issue and which are set for trial containing the number and style of the case, the names of the attorneys, and the date for which set, and to furnish copy of such monthly settings or lists to the attorneys and further to provide for additional compensation for such additional duties of said Clerk.

Be It Enacted by the Legislature of Alabama:

Section 1. That in all cases appealed from the Circuit Court to the Supreme Court or Court of Appeals of Alabama the Clerk of said Court is required to keep a separate docket in his office available to public inspection at any and all times the said Clerk's office is open for business, in which said Clerk shall enter the number and style of such cases, the date of the judgment, the date of the appeal the date the transcript on appeal is delivered to the Appellant's attorney, and the date and ruling of the Supreme Court or Court of Appeals in each such appeal; to make a list with the number and style of each case in which a motion or demurrer is filed, for use on the day said motions and demurrers are set for hearing; and to make monthly settings or lists of all cases which are at issue and which are set for trial, containing the number and style of the case, the name of the attorneys, and the date for which set and to furnish copy of such monthly settings or lists to the Attorneys.

Section 2. That the Clerk of the Circuit Court of Mobile County, Alabama, be and is hereby allowed additional compensation for the performance of such additional duties which said additional compensation is hereby fixed at One Hundred and no/100 (\$100.00) Dollars per month payable out of the General Fund for Mobile County, Alabama.

Section 3. This Act shall take effect on its approval by the Governor. April 29; May 6, 13, 20.

STATE OF ALABAMA
COUNTY OF MOBILE

Personally appeared before me the undersigned authority in and for said state and county, C. M. Shepard, Jr., who being sworn deposes and says he is the Publisher of the Mobile Post, a weekly newspaper of general circulation, printed and published in Mobile County, Alabama, and that the attached advertisement was published in the Post on April 29; May 6, 13 and 20, 1949.

C. M. SHEPARD, JR.

Sworn and subscribed to before me on the 20 of May, 1949.

E. C. DOODY,

Notary Public, Mobile County, Alabama.

Also:

By Messrs. Whitcomb and Crocker:

H. 1043. To authorize the Tax Collector of Marengo County to employ, at public expense, a clerk or assistant to aid him in the performance of his official duties; to fix the compensation to be paid to such clerk or assistant; and to provide for the payment of the same out of the general fund of Marengo County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of intention to apply for the passage of a local law for Marengo County, Alabama, at the 1949 Session of the Legislature of Alabama which convened on May 3, 1949, which local law reads as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Tax Collector of Marengo County to employ, at public expense, a clerk or assistant to aid him in the performance of his official duties; to fix the compensation to be paid to such clerk or assistant; and to provide for the payment of the same out of the general fund of Marengo County.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Tax Collector of Marengo County is hereby authorized to employ, at public expense, a clerk or assistant to aid him in the performance of his official duties.

Section 2. That the compensation to be paid such clerk or assistant shall be six hundred dollars (\$600.00) per year, payable out of the general fund of Marengo County in such amounts and at such times as Tax Collector of Marengo County shall certify to the Board of Revenue of Marengo County, that the same is due to the clerk or assistant so employed.

Section 3. That all laws and parts of laws in conflict herewith be and the same are hereby expressly repealed.

Section 4. That this Act shall become effective on October 1, 1949.

7-14-4t.

THE STATE OF ALABAMA MARENGO COUNTY

Before me, Freda W. Bradford a notary public in and for said County, in said State, personally appeared R. E. Sutton, who, being by me first duly sworn, deposes and says:

That he is the publisher of The Democrat-Reporter, a newspaper published at Linden, Marengo County, Alabama, and that the said Democrat-Reporter is a newspaper of general circulation in Marengo County, Alabama, and that the Notice of Local Bill to authorize Tax Collector to employ clerk or assistant.

copy of which is hereto attached, was published in said newspaper, The Democrat-Reporter, for four cosecutive weeks, to-wit:—in the issues dated July 14, 1949, July 21, 1949, July 28, 1949, August 4, 1949, and that each of said above issues was duly circulated among the subscribers of said newspaper, which said newspaper has been mailed under a second class mailing privilege of the United States Post Office where it is published for fifty-two (52) consecutive weeks prior to the publication of the above stated Local Bill

R. E. SUTTON,

Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this 8th day of Aug., 1949.

FREDA W. BRADFORD,

Notary Public, Marengo County, Alabama.

My Commission expires 2-16, 1952.

Also:

By Mr. White (Covington):

H. 1041. To amend an Act entitled "An Act to abolish the Court of County Commissioners of Covington County, and to create a Court of Record to be called "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their term of office; to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond payable to the county, for the performance of their duties; to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

At the present session of the Legislature of Alabama, a bill will be introduced for passage reading substantially as follows:

A BILL TO BE ENTITLED AN ACT

To amend an Act entitled "An Act to abolish the Court of County Commissioners of Covington County, and to create a Court of Record to be called "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their term of office; to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each such meetings; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond payable to the county, for the performance of their duties; to direct the payment of all premiums on bonds herein required; to determine and authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed.

Be It Enacted by the Legislature of Alabama:

Section 1. That section II of an act to abolish the Court of County Commissioners of Covington County, and to create a Court of Record to be called "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their term of office; to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate mem-

ber of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each meeting; to provide the allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees while out of the county, shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate shall give a bond, payable to the county, for the performance of their duties; to direct the payment of all premiums on bonds herein required; to determine and to authorize determination from what county funds all salaries, compensations, wages, allowances and expenses, and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed," as approved May 25, 1945, be and the same is hereby amended to read as follows:

Section II. COMPENSATION: The President and associate members of said Board shall each receive an annual salary in the sum of \$2,400.00, payable in equal monthly installments of \$200.00 by warrant issued by the Board and signed by the President. Such salary shall be paid from the general fund or from the tax levied by the state on gasoline and other motor fuels and oils or by apportionment thereto as said Board from time to time may determine.

If a general law is now or becomes effective whereby the salaries of the county governing bodies of Alabama are fixed at a higher level than those specifically fixed herein, then such salaries prescribed herein shall automatically increase to the maximum level prescribed under such general law for counties within the population range of Covington County, that is, the President of the Board shall receive a salary corresponding in amount to that fixed under the general law for the presiding officer of the Court of County Commissioners and each associate member of the Board shall receive an amount equal to that fixed under said general law for each associate member of the Court of County Commissioners.

If any discretion in the fixation of salaries is given by said general law to the Court of County Commissioners in the fixation of its own salaries, then the Board of Revenue of Covington County shall have like authority to increase but not to lower the salaries herein specifically fixed.

Section 2. This act shall take effect immediately upon its passage and approval by the Governor.

7 July 4 tch

PROOF OF PUBLICATION

STATE OF ALABAMA COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star News who being duly sworn, says that the attached legal notice of publication appeared in four successive issues of The Andalusia Star, News a weekly newspaper published in said county, on the following dates: July 7, July 14, July 21 and July 28, 1949

This the 8th day of August, 1949.

ED DANNELLY.

Sworn to and subscribed before this 8th day of August, 1949.

M. E. NORMAN,
Notary Public.

Also:

By Mr. Richardson:

H. 1042. To require the Board of Revenue of Lawrence County, Alabama, or other like governing board of said county, to pay for the publication of the notice of each and every local bill heretofore advertised for the present session of the Legislature of Alabama, or which may hereafter be advertised for the present session or any subsequent session of the Legislature of Alabama, for or which applies alone to the County of Lawrence, and out of any money in the treasury of said county not otherwise appropriated; provided the notice so published is signed by the Representative of said county or by the State Senator from the Second Senatorial District.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LAWRENCE

NOTICE is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To require the Board of Revenue of Lawrence County, Alabama, or other like governing board of said county, to pay for the publication of the notice of each and every local bill heretofore advertised for the present session of the Legislature of Alabama, or which may hereafter be advertised for the present session or any subsequent session of the Legislature of Alabama, for or which applies alone to the County of Lawrence, and out of any money in the treasury of said county not otherwise appropriated; provided the notice so published is signed by the Representative of said county or by the State Senator from the Second Senatorial District.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Lawrence County, Alabama, or other like governing board of said county, is hereby required to pay for the publication of the notice of each and every local bill heretofore advertised for the present session of the Legislature of Alabama, or which may hereafter be advertised for said session or any subsequent session of the Legislature of Alabama, for or which applies alone to the County of Lawrence, and out of any money in the treasury of said county not otherwise appropriated; provided, the notice so published is signed by the Representative of said county or by the State Senator from the Second Senatorial District.

Section 2. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

J. B. RICHARDSON.

28—4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and Aug. 4, all in the year 1949.

ARTHUR F. SLATON.

Sworn to and subscribed before me 4 Aug., 1949.

CHARLES C. McWHORTER,
Notary Public.

Also:

By Mr. Coburn:

H. 1049. Levying in Colbert County, Alabama, additional special privilege or license taxes and excise taxes paralleling, with like provisions in Colbert County, such State taxes as are levied by the State by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, except that only twenty-five per centum of the State levy provided by subdivision (a) of said Section 753 and by subdivision (c) of said Section 753 is hereby made and is to be collected hereunder in Colbert County, that only fifty per centum of the State levy provided by subdivision (b) of said Section 753 is hereby made and is to be collected hereunder in Colbert County, and that only fifty per centum of the State levy provided by said Section 788 is hereby made and is to be collected hereunder in Colbert County; and providing for the collection thereof; and providing that the taxes herein levied shall be collected by and paid to the Custodian of the Public School Funds of Colbert County in his official capacity, and providing for compensation to said Custodian and for clerk hire and other expenses incurred by him in the collection, handling, and disbursing of said moneys; and providing for the distribution of all such revenue arising from the levy herein made to the Board of Education of the City of Tusculumbia, to the Board of Education of the City of Sheffield and to the County Board of Education of Colbert County, and providing for the apportionment of said revenue among said boards; and providing that the taxes herein levied shall constitute a debt due Colbert County for the use and benefit of said Boards of Education; and providing that said taxes shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Colbert County except as herein otherwise specifically provided; and providing that the taxes as herein levied, together with the interest and penalties imposed by this act, shall be a lien upon the property of any person, firm or corporation due said taxes under the provisions of this act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes herein levied; and providing when said taxes shall be due and collectible and providing the manner and methods for collecting the same; and providing that each tax payer may comply with the provisions of this act by filing with the Custodian of the Public School Funds of Colbert County a copy of the report made by him to the commissioner of Revenue of the State of Alabama, and paying to said Custodian the tax due according to said report computed according to the

percentages levied by this act, without making other reports or payments; and providing that all laws and parts of laws in conflict with any provision of this act are hereby repealed; and providing that if any section, clause or provision of this act shall be, or declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid, and providing when this act shall take effect; and providing that all revenue arising from the levy herein made and distributed to the Board of Education of the City of Tuscumbia shall be used exclusively for public school purposes in said City of Tuscumbia and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said City of Tuscumbia, and that all such revenue arising from the levy herein made and distributed to the Board of Education of the City of Sheffield shall be used exclusively for public school purposes in said City of Sheffield and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said City of Sheffield, and that all such revenue arising from the levy herein made and distributed to the County Board of Education of Colbert County shall be used exclusively for public school purposes in said County outside the City limits of the Cities of Tuscumbia and Sheffield and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said County outside the City limits of the Cities of Tuscumbia and Sheffield, and providing that each of said Boards shall have the right and authority to pledge its respective share of the revenue arising from the taxes herein levied as security for debts incurred in the future or for warrants issued in the future for such public school purposes.

WHEREAS, Colbert County has recently become the center of vast industries and has gained rapidly in population, and every public school in the County has a large increase in enrollment; and

WHEREAS, it is imperative that the County provide more adequate school buildings and equipment and a broadened school program, and it is necessary to provide more revenue to meet this great and growing need;

Therefore.

With notice and proof thereto attached and herewith exhibited as follows:

**NOTICE OF INTENTION
TO APPLY
FOR PASSAGE OF LOCAL LAW**

To Whom It May Concern:

In pursuance of the requirements of Section 106 of the Constitution of 1901, notice is hereby given that application will be made to the Legislature of Alabama during the 1949 regular session thereof, which convened on the first Tuesday in May, 1949, for the enactment of a local law in substance as follows:

**A BILL TO BE
ENTITLED AN ACT**

Levying in Colbert County, Alabama, additional special privilege or license taxes and excise taxes paralleling, with like provisions in Colbert County, such State taxes as are levied by the State by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, except that only twenty-five per centum of the State levy provided by subdivision (a) of said Section 753 and by subdivision (c) of said Section 753 is hereby made and is to be collected hereunder in Colbert County, that only fifty per centum of the State levy provided by subdivision (b) of said Section 753 is hereby made

and is to be collected hereunder in Colbert County, and that only fifty per centum of the State levy provided by said Section 788 is hereby made and is to be collected hereunder in Colbert County; and providing for the collection thereof, and providing for the distribution of all such revenue arising from the levy herein made to the Board of Education of the City of Tuscumbia, to the Board of Education of the City of Sheffield and to the County Board of Education of Colbert County, and providing for the apportionment of said revenue among said boards, and providing that all such revenue arising from the levy herein made and distributed to the Board of Education of the City of Tuscumbia shall be used exclusively for public school purposes in said City of Tuscumbia and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said City of Tuscumbia, and that all such revenue arising from the levy herein made and distributed to the Board of Education of the City of Sheffield shall be used exclusively for public school purposes in said City of Sheffield and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said City of Sheffield, and that all such revenue arising from the levy herein made and distributed to the County Board of Education of Colbert County shall be used exclusively for public school purposes in said County outside the City limits of the Cities of Tuscumbia and Sheffield and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said County outside the City limits of the Cities of Tuscumbia and Sheffield, and providing that each of said Boards shall have the right and authority to pledge its respective share of the revenue arising from the taxes herein levied as security for debts incurred in the future or for warrants issued in the future for such public school purposes.

WHEREAS, Colbert County has recently become the center of vast industries, and has gained rapidly in population, and every public school in the County has a large increase in enrollment; and

WHEREAS, it is imperative that the County provide more adequate school buildings and equipment and a broadened school program, and it is necessary to provide more revenue to meet this great and growing need; Therefore,

Be It Enacted by the Legislature of Alabama:

Section 1. In Colbert County, Alabama, there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows: (a) Upon every person, firm or corporation engaged, or continuing within Colbert County, Alabama, in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidences of debt or stocks), an amount equal to one-half of one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. (b) Upon every person, firm or corporation engaged, or continuing within Colbert County, Alabama, in the business of conducting, or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture

shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational a state, county, or city school, or other institution, association or school). skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Colbert County, Alabama, an amount equal to one per cent of the gross receipts of such business. (c) upon every person, firm or corporation engaged or continuing within Colbert County, Alabama, in the business of selling any automotive vehicle, an amount equal to one-eighth of one per cent of the gross proceeds of the sale of said automotive vehicles. (d) The tax levied in Section One hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines and punishments and deductions set out in Section 752 through Section 786 and Article ten of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereof, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof.

Section 2. (a) In Colbert County, Alabama, an excise tax is hereby imposed on the storage, use or other consumption in Colbert County, Alabama, of tangible personal property purchased at retail on or after effective date of this act, for storage, use or consumption in Colbert County, Alabama, at the rate of one per cent of the sales price of such property, regardless of whether the retailer is or is not engaged in business in this state, except as provided in subsection (b) of this section.

(b) In Colbert County, Alabama, an excise tax is hereby imposed on the storage, use or other consumption in Colbert County, Alabama, of any automotive vehicle purchased at retail on or after the effective date of this Act, for storage, use or other consumption in Colbert County, Alabama, at the rate of one-fourth of one percent of the sales price of such automotive vehicle. Every person storing, using or otherwise consuming in Colbert County, Alabama, tangible personal property purchased at retail shall be liable for the tax imposed hereby, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in Colbert County, Alabama, showing the payment of said tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer. (c) The tax levied in Section Two hereof shall be subject to all the definitions, exceptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, and punishment and deductions set out in Section 787 through Section 811 and Article 2 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof.

Section 3. The taxes as herein levied, together with the interest and penalties imposed by this act, shall be a lien upon the property of any person, firm or corporation due said taxes under the provisions of this act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for licence taxes due the State of Alabama shall apply fully to the collection of the taxes herein levied.

Section 4. The taxes herein levied shall constitute a debt due Colbert County, for the use and benefit of the respective Boards of Educa-

tion set out in Section 8 of this act, and may be collected by civil suit in addition to the methods provided by law or herein otherwise provided.

Section 5. The taxes herein levied shall be collected by and paid to the Custodian of the Public School Funds of Colbert County in his official capacity. All reports required to be made to the Commissioner of Revenue of the State of Alabama as to State Sales and Use Taxes under Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama as to such taxes herein levied shall be made to the Custodian of the Public School Funds of Colbert County, and as to the taxes herein levied the Custodian of the Public School Funds of Colbert County shall have and exercise the same powers, duties and obligations as are imposed on the Commissioner of Revenue of the State of Alabama by Section 752 through Section 811 and by Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama; and amendments thereto, as to State taxes therein levied.

The Custodian of the Public School Funds of Colbert County shall be reimbursed out of the proceeds of said taxes for all such reasonable clerk hire and other expenses incurred by him in the collection, handling and disbursing of said moneys as may be approved by the County Board of Education, and shall also be entitled to such reasonable compensation for his services in connection therewith as may be fixed by the County Board of Education, such compensation to be paid out of the proceeds of said taxes and not to exceed in any one calendar year 1 per cent of the proceeds of such taxes.

Said Custodian shall at monthly intervals pay over to the respective school boards as set out in Section 8 of this Act any moneys collected by him from said taxes less his expense and compensation as herein provided.

Section 6. The taxes imposed hereby shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Colbert County except as herein otherwise specifically provided.

Section 7. The taxes herein levied shall be due and collectible at the times and manner and as set out in Section 752 through Section 811 and in Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, and all of the methods and provisions given to the State of Alabama as to the collection of said taxes under the provisions of Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, are given hereby to the Custodian of the Public School Funds of Colbert County, and to Colbert County, for the use and benefit of the Boards of Education set out in Section 8 hereof as to the taxes hereby levied.

Section 8. Seventy-five per cent of the revenue arising from said taxes under this act shall be allocated and paid over to the County Board of Education of Colbert County.

The remaining twenty-five per cent of said revenue shall be divided between the Board of Education of the City of Tusculumbia and the Board of Education of the City of Sheffield as follows:

The Board of Education of the City of Tusculumbia shall receive such portion and percentage thereof as the population of the City of Tusculumbia bears to the combined population of the said cities computed according to the last or any subsequent Federal Census.

The Board of Education of the City of Sheffield shall receive such portion and percentage thereof as the population of the City of Sheffield bears to the combined population of the said cities computed according to the last or any subsequent Federal Census.

Section 9. All such revenue arising from the levy herein made and distributed to the Board of Education of the City of Tusculumbia shall be used exclusively for public school purposes in said City and solely for

the maintenance and operation of public schools and the construction and improvement of public school buildings in said City.

All such revenue arising from the levy herein made and distributed to the Board of Education of the City of Sheffield shall be used exclusively for public school purposes in said City and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said City of Sheffield.

All such revenue arising from the levy herein made and distributed to the County Board of Education of Colbert County shall be used exclusively for public schools purposes in the County outside of the Cities of Tuscumbia and Sheffield and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in the County outside of the Cities of Tuscumbia and Sheffield.

Section 10. Each of the respective Boards of Education named in Section 8 of this act shall have the right and authority to pledge its respective share of the revenue arising from said taxes under this act as security for debts incurred in the future or for warrants issued in the future for the public school purposes set out in Section 9 of this act.

Section 11. Each taxpayer may comply with the provisions of this act by filing with the Custodian of the Public School Funds of Colbert County a copy of the report made by him to the Commissioner of Revenue of the State of Alabama, and paying to said Custodian of the Public School Funds of Colbert County the tax due according to said report computed according to the percentages levied by this act, without making other reports or payments.

Section 12. All laws and parts of laws in conflict with any provision of this act are hereby repealed.

Section 13. If any section, clause or provision of this act shall be, or declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid.

Section 14. This act shall take effect on the first day of the month next after its passage and approval by the Governor or its otherwise becoming a law.

July 15-22-29-Aug. 5, 1949

STATE OF ALABAMA COLBERT COUNTY

Before me, Sue H. Jackson, a Notary Public in and for said County and State, personally appeared L. H. Baker General Manager of the Standard & Times, a weekly newspaper, and who is known to me, and who, being duly sworn deposes and says as follows:

That he is general manager of the Standard & Times, a weekly newspaper printed and published in Sheffield, Colbert County, Alabama, and that said newspaper has a general circulation in Colbert County, Alabama, and is printed and published in Colbert County, Alabama, and that said newspaper has been published and mailed under the second class mailing privilege for more than 52 consecutive weeks prior to the publication of the attached clipping, and that the attached clipping is a true and correct copy of a notice of intention to make application to the legislature of Alabama for the passage of a local law relating to levying in Colbert County, Alabama, additional special privilege or license taxes and excise taxes and that said notice was duly published in said newspaper for four consecutive weeks in the weekly issues of said newspaper of July 15th, July 22nd, July 29th and August 5th, 1949. This affidavit is executed in Sheffield, Colbert County, Alabama, on this the 8th day of August, 1949.

L. H. BAKER,
Gen. Manager of Standard & Times.

Sworn and subscribed to before me by the said L. H. Baker on this the 8th day of August, 1949.

SUE H. JACKSON,
Notary Public.

My Commission expires Feb. 4, 1952.

Also:

By Mr. Buckner:

H. 1056. To extend and enlarge the boundaries of the corporate limits of the City of Cullman, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill will be introduced at the present session of the Legislature.

W. J. NESMITH,
Mayor,
City of Cullman.

A BILL TO BE ENTITLED AN ACT

To extend and enlarge the boundaries of the corporate limits of the City of Cullman, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Cullman, Alabama, be and the same are hereby extended so as to include the following described real estate: Beginning at a point on the south section line of Section 15, township 10, range 3 west, at the corner of the present corporate limits on the south line of said Section 15, between Broadway Street and Lee Street, thence running west on the south line of said Section 15, Township 10, Range 3 West to the Southwest corner of said Section 15, thence continuing West on the South line of Section 16, Township 10, Range 3 West to the southeast corner of the Southwest quarter of the Southwest quarter of Section 16, Township 10, Range 3 West, thence North along the quarter section line between the Southwest quarter of the Southwest quarter, the Northwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and Northeast quarter of Southwest quarter to the Old Logan Road, thence West along the Old Logan Road to the section line of Section 16, Township 10, Range 3 West, thence North along the section line of Section 16 to the Dripping Springs Road, thence Southeasterly along the Dripping Springs Road to the northwest corner of the present corporate limits, thence along the present corporate limits of the City of Cullman to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. This Act shall take effect upon approval of the Governor.
July 14, 21, 28; Aug. 4.

THE STATE OF ALABAMA CULLMAN COUNTY

Before me V. E. Waters a Notary Public in and for said County and State, personally appeared Alexander Millar Business Manager of The Cullman Banner, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says that the notice of which

the attached is a true copy, was published in said newspaper once a week, for 4 weeks successively and being in the issues of said newspaper of the following dates, viz: July 14, 21, 28; Aug. 4.

ALEXANDER B. MILLAR,
Business Managr.

Sworn to and subscribed before me this 4th day of Aug., 1949.
V. E. WATERS,
Notary Public.

Also:

By Messrs. Rogers and Barnett:

H. 1060. To amend Act No. 438, H. 856, approved September 25, 1947, (Local Acts of Alabama, 1947, page 296) entitled "An Act To authorize the City of Florence, Alabama, to establish a City Employees Retirement Fund and to provide for such fund and its sources, management, and administration; to provide for a board of trustees for such fund and their duties, power, and authority; to provide for the retirement and for reinstatement of active or retired members of such departments and payment of benefits provided for; to provide for payment of said trustees; to provide for appeals from rulings of the Board of Trustees."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA COUNTY OF LAUDERDALE

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made.

E. F. YEILDING,
C. H. JACKSON,
J. S. CROMWELL, JR.,
Board of Commissioners.

A BILL TO BE ENTITLED AN ACT

To amend Act No. 438, H. 856, approved September 25, 1947, (Local Acts of Alabama, 1947, page 296) entitled "An Act To authorize the City of Florence, Alabama, to establish a City Employees Retirement Fund and to provide for such fund and its sources, management, and administration; to provide for a board of trustees for such fund and their duties, power, and authority; to provide for the retirement and for reinstatement of active or retired members of such departments and payment of benefits provided for; to provide for payment of said trustees; to provide for appeals from rulings of the Board of Trustees."

Be It Enacted by the Legislature of Alabama:

Sections 12 and 16 of Act No. 438, H. 856, approved September 25, 1947, (Local Acts of Alabama, 1947, page 296) entitled "An Act To authorize the City of Florence, Alabama, to establish a City Employees Retirement Fund and to provide for such fund and its sources, management, and administration; to provide for a board of trustees for such fund and their duties, power, and authority; to provide for the retirement and for reinstatement of active or retired members of such departments and payment of benefits provided for; to provide for payment of said trustees; to provide for appeals from rulings of the Board of Trustees," are amended to read:

"Section 12. Said Board of Trustees shall have the power and authority at their discretion to retire from the service of the city any employee thereof who attains the age of sixty-five years, without regard to the length of service of such employee. Upon the retirement of such employee, the Board of Trustees shall direct the payment to him monthly from such fund the amount hereinafter provided for his particular position, office, salary range, or class of work.

"Section 16. If any employee of the city is discharged from, or for any reason leaves, such employment before he becomes entitled to any of the benefits provided for, he shall forfeit all right to such benefits, and shall be entitled only to have refunded to him the actual amount paid into the fund by him."

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

May 19-26-June 2-9c

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA LAUDERDALE COUNTY

I, D. H. Bowling, Advertising Manager of The Florence Times, a daily newspaper published in Florence, Lauderdale County, Alabama, and with a general circulation in Lauderdale County, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: A Bill To Be Entitled An Act To amend Act. No. 438, H. 856, approved September 25, 1947. (Local Acts of Alabama, 1947, page 296) entitled "An Act To authorize the City of Florence, Alabama, to establish a City Employees Retirement Fund as published in The Florence Times on the days and dates and in the amount of space as here given, as follows: May 19-26; June 2-9, 1949, Florence, Ala., August 9th, 1949.

D. H. BOWLING,

Advertising Manager of The Florence Times.

Sworn to before me this 9th day of August, 1949.

L. H. BAKER,
Notary Public.

My Commission Expires August 27, 1951

Also:

By Messrs. Leonard and Ganey:

H. 1050. For relief of E. L. Moore and to appropriate \$100.00 out of the Road Fund of Talladega County for the payment to the said E. L. Moore for damages occurring to property belonging to him during the year 1948.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the following will be offered in the present Legislature. "A Bill To Be Entitled An Act for relief of E. L. Moore and to appropriate \$100.00 out of the Road Fund of Talladega County for the payment to the said E. L. Moore for damages occurring to property belonging to him during the year 1948."

BILL

Section 1. Be it enacted by the legislature of Alabama that there is hereby appropriated out of the Road Fund of Talladega County the sum of \$100.00 for damages to property belonging to E. L. Moore in the construction of a road in Talladega County. Said sum to be paid by warrant drawn on any funds allotted for roads in said county.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor. 29-6-13-20c

THE STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Ila G. Davis, who being duly sworn according to law, deposes and says that she is the Bkpr of the Talladega Daily Home a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 29, 1949, July 6, 1949, July 13, 1949, July 20, 1949.

ILA G. DAVIS.

Subscribed and sworn to before me this 8 day of August, 1949.

EDWOOD T. HYDE,
Notary Public.

Also:

By Mr. Denton:

H. 1048. Relating to Blount County: To amend Section 1 of Act No. 183, H. 363, approved March 1, 1937 (Local Acts of Alabama, Extra Session 1936-37, page 71) entitled "An Act To allow the Register in Chancery of the Circuit Court of Blount County, Alabama, a clerk; to provide for the appointment and tenure of office of said clerk to fix the salary of said clerk and to make the same payable out of the general funds of Blount County in monthly installments."

With notice and proof thereto attached and herewith exhibited as follows:

PROPOSED LOCAL LEGISLATION

Notice is hereby given that at the present session of the Legislature I will introduce an amendment to the Local Act which sets the salary of the Clerk in the Office of the Register In Chancery of The Circuit Court of Blount County, Alabama, which amendment shall fix said salary at Twelve Hundred Dollars per annum; said Local Act remaining in full force and effect otherwise.

N. C. DENTON,
Representative.

14J41

THE STATE OF ALABAMA
BLOUNT COUNTY

Personally appeared before the undersigned authority, Rice M. Howard, who, being duly sworn, deposes and says that he is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of Proposed Legislation was published for 4 consecutive weeks in said newspaper, commencing on the 14 day of July, 1949, and ending on the 4 day of Aug., 1949.

RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me this 8 day of Aug., 1949.

P. A. NASH,
Notary Public.

Also:

By Mr. Brannan:

H. 1040. For the relief of Cleveland Rice, dependent sister of Jeff White, deceased, by the payment to her of moneys not otherwise ap-

propriated in the General Fund of Baldwin County, Alabama, as compensation for death of the said Jeff White on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Cleveland Rice, dependent sister of Jeff White, deceased, has no recourse at law.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

For the relief of Cleveland Rice, dependent sister of Jeff White, deceased, by the payment to her of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for death of the said Jeff White on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Cleveland Rice, dependent sister of Jeff White, deceased, has no recourse at law.

Be It Enacted by the State of Alabama:

Section 1. That the County Commission of Baldwin County, Alabama, be and hereby is authorized, directed and required to pay to Cleveland Rice, dependent sister of Jeff White, deceased, the sum of Two Hundred and Fifty Dollars out of moneys in the General Fund of Baldwin County, Alabama, not otherwise appropriated, as compensation for the death of the said Jeff White, deceased, resulting on the 4th day of December, 1947, as a direct consequence of the negligence of a County Employee in and about the operation of a County truck on the public highway of Alabama, in the line and scope of his duty as an employee of Baldwin County, Alabama under such conditions that the said Cleveland Rice, dependent sister of Jeff White, deceased, has no recourse at law.

Section 2. That the County Commission is hereby authorized, directed and required to issue its warrant in the said sum of Two Hundred and Fifty Dollars to the said Cleveland Rice, dependent sister of Jeff White, deceased, and the County Treasurer be and is hereby authorized and directed to pay the same when and as the same is presented for payment, in like manner as other lawful claims against said County are paid.

Section 3. All laws or parts of laws in conflict herewith are expressly repealed. 24—4tc.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
BALDWIN COUNTY

Jimmy Faulkner, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill To Be Entitled An Act was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication July 7, 1949, Vol. 60, No. 24.

Date of 2nd publication July 14, 1949, Vol. 60, No. 25.

Date of 3rd publication July 21, 1949, Vol. 60, No. 26.

Date of 4th publication July 28, 1949, Vol. 60, No. 27.

JIMMY FAULKNER,
Publisher.

Subscribed and sworn before the undersigned this 28 day of July, 1949.

DOROTHY MARTIN,
Notary Public, Baldwin County.

Also:

By Mr. Brannan:

H. 1039. For the relief of Lillie Mae White, Willie White and James Edward White, dependent widow and minor sons of Jim White, deceased, by the payment to them of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for death of the said Jim White on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Lillie Mae White, Willie White, and James Edward White, dependent widow and minor sons of Jim White, deceased, have no recourse at law.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

For the relief of Lillie Mae White, Willie White and James Edward White, dependent widow and minor sons of Jim White, deceased, by the payment to them of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for death of the said Jim White on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Lillie Mae White, Willie White and James Edward White, dependent widow and minor sons of Jim White, deceased, have no recourse at law.

Be It Enacted by the State of Alabama:

Section 1. That the County Commission of Baldwin County, Alabama, be and hereby is authorized, directed and required to pay to Lillie Mae White, Willie White and James Edward White, dependent widow and minor sons of Jim White, deceased, the sum of Fifteen Hundred Dollars out of moneys in the General Fund of Baldwin County, Alabama, not otherwise appropriated, as compensation for the death of the said Jim White, deceased, resulting on the 4th day of December, 1947, as a direct consequence of the negligence of a County Employee in and about the operation of a County truck on the public highway of Alabama, in the line and scope of his duty as an employee of Baldwin County, Alabama under such conditions that the said Lillie Mae White, Willie White, and James Edward White, dependent widow and minor sons of Jim White, deceased, have no recourse at law.

Section 2. That the County Commission is hereby authorized, directed and required to issue its warrant in the said sum of Fifteen Hundred Dollars to the said Lillie Mae White, Willie White, and James Edward White, dependent widow and minor sons of Jim White, deceased, and the County Treasurer be and is hereby authorized and directed to pay the same when and as the same is presented for payment, in like manner as other lawful claims against said County are paid.

Section 3. All laws or parts of laws in conflict herewith are expressly repealed. 24—4tc.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BALDWIN COUNTY

Jimmy Faulkner, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill To Be Entitled An Act was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication July 7, 1949, Vol. 60, No. 24.

Date of 2nd publication July 14, 1949, Vol. 60, No. 25.

Date of 3rd publication July 21, 1949, Vol. 60, No. 26.

Date of 4th publication July 28, 1949, Vol. 60, No. 27.

JIMMY FAULKNER,
Publisher.

Subscribed and sworn before the undersigned this 28 day of July, 1949.

DOROTHY MARTIN,
Notary Public, Baldwin County.

Also:

By Messrs. Sightler, Pinkston and Ingalls:

H. 1053. Relating to all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1046, 905, 902, 1043, 1041, 1042, 1049, 1056, 1060, 1050, 1048, 1040, 1039 and 1053. To the Committee on Local Legislation.

RECESS

At 12:25 p. m. on motion of Mr. Owens, the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION

THIRTY-FIRST LEGISLATIVE DAY

Tuesday, August 16, 1949

The Senate re-assembled at 2 o'clock p. m., Lieutenant Governor Inzer presiding.

ROLL CALL

Present:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright
Coleman	Hooton	Owens	

—34

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested:

H. 313. To impose extra, new, and additional duties upon the circuit solicitors of the State of Alabama; to provide additional compensation for such solicitors for the performance of the extra, new, and additional duties hereby imposed upon them; and to provide for the payment of such additional compensation out of the general fund of the State of Alabama.

Also:

H. 709. To confer upon the Board of Commissioners of the State Bar additional powers relative to the selection, number, tenure, compensation, duties, and authority of the Board of Bar Examiners; repealing conflicting laws.

Also:

H. 713. To authorize any city to establish a sinking fund for the payment of any of its unmatured bonds and to issue to and place in such sinking fund refunding bonds issued to refund such unmatured bonds and to regulate the maturities of such refunding bonds and the rate of interest to be paid thereon and to provide for the appointment of a trustee to hold such sinking fund and to grant such trustee power to invest and administer such sinking fund.

Also:

H. 893. To alter or re-arrange the boundary lines of the City of Attalla, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Also:

H. 894. To Alter or Re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Also:

H. 451. To amend Section 154 of Title 41 of the Code of Alabama 1940, as amended by Act No. 238, General Acts of Alabama, Regular Session 1943, Page 195, Approved June 22, 1943, to provide for expenses per day and traveling expenses.

Also:

H. 968. To amend an Act of the Legislature, approved September 16, 1947, General Acts of Alabama of 1947, Page 280, entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants, or more, according to the last or any subsequent Federal Census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act.

Also:

H. J. R. 130. Relative to additional clerks for the Clerk of the House and Secretary of the Senate.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Gullledge:

S. B. 643. To amend Section 2 of Title 51 of the Code of Alabama (1940), as amended, which relates to persons and property which shall be exempt from ad valorem taxation.

Committee on Finance and Taxation.

By Mr. Gullledge:

S. B. 644. To amend Section 129 of Title 2 of the Code of Alabama (1940), which relates to permit fees of mutual farming and trucking associations.

Committee on Agriculture.

By Mr. Gullledge:

S. B. 645. To amend Section 399 of Title 51 of the Code of Alabama (1940), which relates to conditional and other exemptions of corporations and organizations from the payment of income taxes to the State.

Committee on Finance and Taxation.

By Mr. Gullledge:

S. B. 646. To repeal Section 11 of Act No. 158, H. B. 428, approved June 15, 1943, entitled "An Act To authorize the organization of public non-profit corporations for the purpose of acquiring and operating facilities for the production, transmission and distribution of electricity and related services in power districts to be composed of all or parts of any three or more connecting counties; to specify the method of amending the certificate of incorporation of any such corporation; to provide for its management; to define its powers, including the power of eminent domain with certain limitations, the power to fix and collect rates and charges for services rendered, and the power to raise funds necessary for its purposes by the issuance of its revenue bonds payable solely from the revenues derived from the operation of its properties, which bonds and the interest coupons applicable thereto shall be negotiable; to exempt from all taxation all such bonds together with the income therefrom and any security executed therefor and all properties of the corporation; to authorize the making of pledges and mortgages and deeds of trust as security for such bonds; to require the consent of the Department of Finance to the issuance of such bonds; to specify the properties of such bonds and the rights and remedies of the holders thereof; to provide that such corporation shall not be subject to the jurisdiction of the Alabama Public Service Commission; and to provide for distribution of the assets of any such corporation on its dissolution," (General Acts of Alabama, 1943, page 142).

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Quarles, Chairman of the Standing Committee on Military reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Patton (by request):

S. 605. To amend Section 7 of Title 60 of the 1940 Code, as amended, which relates to widows who are entitled to pensions:

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Boutwell:

S. 627. To provide for and to authorize in counties having a population of 400,000 or more according to the last or any subsequent federal census the business of clearing roots and other foreign obstructions from sewer lines in cities and municipalities by means of electric cutting machines, provided entrance is made at established clean out caps or plugs only, and without otherwise affecting the established sewer lines or fixtures.

By Mr. Boutwell:

S. 629. To provide for the combination of the Offices of License Inspector or Department of Revenue or any like office or department and the Office of Commissioner of Licenses or any like office or department in any county having a population of 400,000 or more according to the last or any succeeding Federal Census whenever the Offices of License Inspector or Director of Revenue or Commissioner of Licenses in any such county shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law and to provide for the salary of such Director and to provide for the employees of such Department of Revenue.

By Messrs. Adams (Jefferson), Stone, et al.:

H. 977. To apply in all counties of this State having a population of not less than 140,000 according to the last or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to provide for the appointment of the members of said Plumbers Examining Board and their term of office; to provide for the payment of compensation to the members of said Board and the employees thereof, and to provide for the payment of expenses incurred by the members of said Board and its employees; to define the powers conferred upon and duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and certificate fees; to empower the said Board to revoke certificates; to provide for

appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this Act.

By Messrs. Pinkston, Meeks, et al. (with notice and proof):

H. 974. To repeal Subdivision 1 and Subdivision 2 of Article 17 of Title 62 of the Code of Alabama of 1940.

By Messrs. Meeks, Beatty, et al.:

H. 1037. To create an Election Commission for all cities of twenty thousand inhabitants and not over thirty thousand inhabitants in counties having four hundred thousand population or over according to the last or any subsequent Federal Census: to provide that the probate judge, sheriff and clerk of the Circuit Court of the county, within which such city or cities are located shall constitute such commission and to define the powers and duties of the same.

By Messrs. Dumas, Meeks, et al.:

H. 1034. To amend Section 11 of an act of the Legislature approved July 6, 1945, (General Acts of Alabama, Regular Session 1945, pages 376-400) entitled "AN ACT To create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof."

By Messrs. Dumas, Meeks, et al. (with notice and proof):

H. 1033. To fix the compensation or salary of the Judge of Probate of Jefferson County, Alabama, and to regulate the payment thereof.

By Messrs. Roberts and Miller (with notice and proof):

H. 1036. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Etowah County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said Library, or to assist therein, and the employment of additional personnel for said purpose, and the payment of the salaries of such personnel.

By Mr. Roberts:

H. 638. To prescribe the hours during which the polls shall be open in counties having a population of not less than 67,500 nor more than 75,000 inhabitants.

By Messrs. Beatty and Meeks, et al. (with notice and proof):

H. 1032. To amend Title 13, Section 199 of the 1940 Code of Alabama.

By Messrs. Beatty and Meeks, et al. (with notice and proof):

H. 1030. To increase the compensation of the Judge of the Jefferson County Court of Misdemeanors.

By Messrs. Dumas and Adams (Jefferson) et al. (with notice and proof):

H. 1029. To increase and fix the salary of the Clerk of the Circuit Court of Jefferson County, Tenth Judicial Circuit of Alabama.

By Messrs. Kaul and Adams (Jefferson) et al.:

H. 1028. To change the designation of the office of the License Inspector to the Department of Revenue and to change the designation of the License Inspector to Director of Revenue, in all counties having a population of 400,000 or more according to the last or any succeeding Federal census, to provide for the appointment, tenure, powers and duties of the Director of Revenue, and to grant power to said Department to require information to be furnished and to require the production for inspection of books, records, and papers.

By Messrs. Adams (Jefferson), Meeks, et al.:

H. 1024. To propose an amendment to the Constitution of Alabama which will authorize the levy and collection of an additional tax for public school purposes in Jefferson County.

The above Bill was read a second time, at length, as required by the Constitution.

By Messrs. Beatty and Meeks, et al.:

H. 1027. To amend Section 2 of an act entitled "An act to further define and extend the powers, authority and duties of the Circuit Solicitor of the tenth Judicial Circuit; To require the Circuit Solicitor of the tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried in the Juvenile and Domestic Relations Court of Jefferson County; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Juvenile and Domestic Relations Court of Jefferson County; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act." House Bill 507, Approved, September 30, 1947.

By Messrs. Adams (Jefferson) and Meeks, et al.:

H. 1023. To amend Chapter 9, Title 15 of the Code of Alabama of 1940 relating to Bail, as amended by Act No. 199 July 8, 1949, by defining the power and authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or Bail Bonds, by the failure of the defendant to appear as required, in all counties in this State having a population of Four Hundred Thousand (400,000) inhabitants, or more, according to the last or any subsequent Federal Census; and to authorize the courts in such counties to remit, in whole or in part, the penalty of such Bail Bonds as the ends of justice may, unto the court, appear to require.

By Messrs. Beatty and Gibson, et al. (with notice and proof):

H. 1022. For the relief of Mrs. Emma V. Eley, in the sum of Twelve Hundred and No/100 (\$1200) Dollars in that on, to-wit, October 21, 1947, a duly authorized agent, servant or employee of Jefferson County, Alabama, Mr. Joe Pickens, negligently drove an automobile into an automobile, the property of Mrs. Emma V. Eley in which Mrs. Emma V. Eley was riding and which she was operating at said time at the intersection of 66th Street and Division Avenue in Birmingham, Jefferson County, Alabama, said sum covering actual damages to the automobile of Mrs. Emma V. Eley and to her person in that she was permanently and painfully injured by the authorized agent, servant or employee of Jefferson County, Alabama, for repairs to said automobile and for hospital bills, medical expenses in and about her treatment.

By Messrs. Dumas and Beatty, et al. (with notice and proof):

H. 1019. To further amend Local Act No. 334 of the 1945 Regular Session of the Legislature of Alabama (Local Acts 1945 page 144, et sequitur) as heretofore amended.

By Messrs. Beatty and Adams (Jefferson) et al. (with notice and proof):

H. 1018. For the relief of Mrs. Ethel Mae Dorrity, in the sum of One Thousand and no/100 (\$1,000) Dollars in that on, to-wit,

October 21, 1947, a duly authorized agent, servant or employee of Jefferson County, Alabama, Mr. Joe Pickens, negligently drove an automobile into an automobile in which the said Mrs. Ethel Mae Dorrity was riding as a passenger, and permanently and painfully injuring her, at the intersection of 66th Street and Division Avenue in Birmingham, Jefferson County, Alabama.

By Messrs. Sadler and Dumas, et al.:

H. 1017. To amend Act No. 668, H. B. 760, approved October 8, 1947 (General Acts of 1947, pp. 509-511) entitled "An Act To provide for the registration of voters and purging registration lists in counties having a population of 300,000 or more according to the last or any subsequent federal census; and to provide for the compensation of the chairman and members of the Board of Registrars in such counties; and to provide for employment of clerical or secretarial employees under the provisions of the county Merit System Act."

By Messrs. Dumas and Kaul:

H. 474. To apply only in counties having a population of 400,000 or more according to the last or any succeeding Federal Census; to provide for the seizure and forfeiture of any automobile or other vehicle which is knowingly used for the transportation of gaming devices, lottery slips, tickets or equipment and other lottery or gaming machinery or paraphernalia or papers.

By Mr. Wood (Bibb) (with notice and proof):

H. 1009. To impose extra, new, and additional duties upon the members of the Board of County Commissioners of Bibb County and to provide additional compensation for the performance of such duties.

By Mr. Brannan (with notice and proof):

H. 953. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Summerdale, in Baldwin County, Alabama.

By Mr. Evans (Choctaw) (with notice and proof):

H. 984. Relating to Choctaw County: To amend Section 2 of Act No. 156, H. B. 129, approved July 15, 1927 (Local Acts of Alabama, 1927, p. 67), entitled "An Act to provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office," as amended.

By Mr. Haynes (Franklin) (with notice and proof):

H. 986. Relating to Franklin County: To change the method of compensating the Probate Judge, placing him on a salary, and providing him a clerk hire allowance, office space, and equipment.

By Messrs. Thagard and McGowin (with notice and proof):

H. 1012. To amend Section 3 and repeal Section 4 of an act entitled "An Act to provide for dividing Butler County into four commissioner districts; to provide for the election of a commissioner for each of such districts; to provide for the tenure of office of such commissioners and to provide the compensation of the commissioners so elected," approved June 23, 1945.

By Messrs. Thagard and McGowin (with notice and proof):

H. 1013. To alter and extend the boundaries of the City of Greenville: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Greenville for their approval or rejection of such alterations and extension.

By Mr. Richardson:

H. 1010. To propose an amendment to the Constitution of Alabama relative to a special school district, school district taxes, and the construction of a school building in Lawrence County.

The above Bill was read a second time, at length, as required by the Constitution.

By Messrs. Sadler and Dumas, et al.:

H. 1016. To repeal Section 56 of Title 17 of the Code of Alabama (1940), which relates to the compensation of registrars in counties having a population of more than 300,000.

Mr. Russell, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dumas, Gibson, et al (with amendment):

H. 1020. To provide for and require the reidentification of each qualified elector in all counties in the State having a population of 400,000 or more according to the last or any subsequent Federal Census; and to require the Board of Registrars in any such county to take the necessary action to purge the lists of the qualified electors in any such county and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a wilfully false statement in connection with his reidentification shall be guilty of perjury.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Snodgrass:

H. J. R. 133. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two Houses adjourn today, they adjourn to meet on Friday, August 19, 1949, at 9 o'clock, A. M.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 133, set out the foregoing message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

S. 407. To amend Act No. 1, H. B. 46, approved May 22, 1945, entitled, "To conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount to two per cent of the gross value, at the point of production, of oil and gas produced in Alabama," (General Acts of 1945, pp. 1-20).

Was taken up:

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO SENATE BILL 407

Amend Senate Bill 407 as follows:

In Section 1 of said bill strike out the words and figures, "one thousand two hundred dollars (\$1,200)" where the same appear and insert in lieu thereof the following words and figures: "nine hundred dollars (\$900)."

Which was adopted:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Clayton	Hardwick	Lamberth	
Barrett	Coleman	Henderson	Langan	
Boutwell	Fite	Hooton	Lowe	
Bridges	Gaither	Howle	Mize	
Burnside	Glover	Kendall	Patterson	
Cater	Gulledge	Kimbrell		—22

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize
Barrett	Fite	Howle	Owens
Boutwell	Gaither	Kendall	Patterson
Bridges	Glover	Kimbrell	Patton
Burnside	Golson	Lamberth	Quarles
Cater	Gulledge	Langan	Summerlin
Clayton	Hardwick		

—25

Nays:

—0

The Bill:

S. 469. For the relief of J. L. Messer: To make an appropriation to J. L. Messer to compensate him for damages to his truck and to a load of watermelons which he was hauling resulting from a collision caused by the negligence of a convict operating a State truck.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Owens
Allen	Fite	Hughes	Patterson
Barrett	Glover	Kendall	Patton
Boutwell	Gulledge	Kimbrell	Perry
Bridges	Hardwick	Lamberth	Quarles
Burnside	Harvey	Langan	Russell
Cater	Henderson	Lowe	Summerlin
Clayton	Hooton	Mize	

—30

Nays:

—0

The Bill:

H. 452. To abolish the Court of County Revenues of Franklin County as it now exists and to establish in lieu thereof a Board of Revenue of Franklin County; to provide for its organization, powers, jurisdiction and duties; to provide for the qualifications, election and compensation of its members; to divide the county into commissioner districts; and to repeal all acts heretofore enacted relative to the Court of County Revenues of Franklin County and especially Act No. 479, S. 222, approved February 27, 1901, Acts of Alabama 1900, page 1203.

was taken up.

Mr. Gulledge moved that the Bill, H. B. 452, be removed from the Calendar and be re-referred to the Standing Committee on Local Legislation.

Mr. Fite moved to lay on the table the motion to re-refer, and the motion to table was lost.

Yeas 15; Nays 18.

Yeas:

Messrs.:	Burnside	Hardwick	Lamberth
Barrett	Coleman	Harvey	Langan
Boutwell	Fite	Howle	Mize
Bridges	Gaither	Kimbrell	Summerlin

—15

Nays:

Messrs.:	Golson	Kendall	Quarles
Allen	Gulledge	Lowe	Russell
Cater	Henderson	Owens	Swift
Clayton	Hooton	Patterson	Wright
Glover	Hughes	Patton	

—18

The question then recurred on the motion of Mr. Gulledge and said Bill, H. B. 452, was ordered removed from the Calendar and was re-referred to the Standing Committee on Local Legislation.

Yeas 19; Nays 13.

Yeas:

Messrs.:	Golson	Kendall	Quarles
Allen	Gulledge	Lowe	Russell
Cater	Henderson	Owens	Summerlin
Clayton	Hooton	Patterson	Swift
Glover	Hughes	Patton	Wright

—19

Nays:

Messrs.:	Coleman	Harvey	Lamberth
Barrett	Fite	Howle	Langan
Boutwell	Gaither	Kimbrell	Mize
Bridges	Hardwick		

—13

Mr. Gulledge moved that the Senate re-consider the vote by which the Bill H. B. 452, was ordered removed from the calendar and was re-referred to the Standing Committee on Local Legislation, Mr. Patton moved to lay on the table the motion to re-consider, and the motion to table prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Martin (Greene) and Lovelace:

H. 684. To amend Section 30 of Title 49 of the Code of Alabama 1940, as amended which relates to participation of state, county and federal government in the payment of assistance to needy blind persons.

Also:

By Messrs. Martin (Greene) and Lovelace:

H. 685. To amend Section 46 of Title 49 of the Code of Alabama 1940 which relates to participation of state, county and federal government in the payment of old age assistance grants.

Also:

By Mr. Adams (Jefferson):

H. 753. To propose an amendment to Section 205 of the Constitution of Alabama, which relates to homestead exemptions; ordering an election upon the proposed amendment to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing message from the House, were severally read one time and referred to appropriate standing committees as follows:

H. B.'s 684, and 685. To the Committee on Public Welfare and Correctional Institutions.

H. B. 753. To the Committee on Constitution and Constitutional Revision and Amendments.

(The above bill was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Harris:

H. 812. To amend Section 607 of Title 51 of the Code of Alabama (1940), which relates to the license on persons transferring freight.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 812. Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Beck:

H. 930. To amend Section 301 of Title 55 of the Code of Alabama (1940), as amended, which relates to the exempt, classified, and unclassified positions in the service of the State.

Also:

By Messrs. Buckner and Cox:

H. 972. To provide further for horticultural research: Making an appropriation to the Board of Trustees of Alabama Polytechnic Institute for the Chilton County Horticultural Area and the North Alabama Horticultural Area.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 930. To the Committee on Judiciary

H. B. 972. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Black:

H. 932. Relating to Walker County: To change the basis of compensating the tax collector; fixing his salary and providing for its payment; providing clerks for his office and for their compensation, providing that all fees, commissions, and allowances heretofore collectible for the use of the tax collector shall be collected by him and covered into the county treasury to the credit of a special fund to be known as the Cost and Fee Fund; repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Walker County: to change the basis of compensating the tax collector; fixing his salary and providing for its payment; providing clerks for his office and for their compensation, providing that all fees, commissions, and allowances heretofore collectible for the use of the tax collector shall be collected by him and covered into the county treasury to the credit of a special fund to be known as the Cost and Fee Fund; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The entire compensation of the tax collector of Walker County, Alabama, shall be a salary of five thousand two hundred dollars (\$5,200) per annum, to be paid in equal monthly installments out of the special fund provided herein or the general fund of the county if the special fund is insufficient for that purpose.

Section 2. The tax collector shall be authorized to employ one full-time clerk for his office, who shall be entitled to receive a salary of one

thousand eight hundred dollars (\$1,800) annually, to be paid in equal monthly installments out of the general fund of the county on a certificate from the tax collector to the effect that said clerk has served and is entitled to be paid. The tax collector shall also be authorized to employ an additional clerk for his office for a period of not more than three months in each year, which clerk shall be entitled to receive a salary of not more than one hundred dollars (\$100) a month, to be fixed by the governing body of the county, payable out of the general fund of the county on a certificate by the tax collector that such a clerk has served under the authority of the governing body of the county. The tax collector shall have no authority to appoint or employ this additional clerk at the expense of the county without first obtaining the approval of the governing body of the county.

Section 3. All fees, commissions, and allowances heretofore collectible by the tax collector for his own use shall be collected by him for the use of the county and, when collected, they shall be by him covered into the county treasury to the credit of a special fund to be known as the Cost and Fee Fund.

Section 3 1-2. That out of this special fund or cost and fee fund as hereinabove provided, the salary of the Tax Collector and clerk hire shall be paid, and the balance of said fund or savings shall be used for old age pensions in said County, or for old age assistance for residents of Walker County, who are approved by the Department of Public Welfare for old age assistance.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 6. This Act shall become effective at the expiration of the term of the incumbent tax collector.

CHESTER M. BLACK,
Representative.

6-2-4t

AFFIDAVIT

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared E. O. Roden, Pub. of The Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice "An Act" who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely; June 2, June 9, June 16 and June 23, 1949.

THE UNION NEWS

E. O. RODEN,
Publisher.

Sworn and subscribed to before me, this 23 day of June, 1949.

MRS. ANNIE DAVIS,
Notary Public.

Also:

By Mr. Black:

H. 933. Relating to Walker County; To change the basis of compensating the tax assessor; fixing his salary and providing for its payment; providing clerks for his office and for their compensation; providing

that all fees, commissions, and allowances heretofore collectible for the use of the tax assessor shall be collected by him and covered into the county treasury to the credit of a special fund to be known as the Cost and Fee Fund; repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County: To change the basis of compensating the tax assessor; fixing his salary and providing for its payment; providing clerks for his office and for their compensation; providing that all fees, commissions, and allowances heretofore collectible for the use of the tax assessor shall be collected by him and covered into the county treasury to the credit of a special fund to be known as the Cost and Fee Fund; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The entire compensation of the tax assessor of Walker County, Alabama, shall be a salary of five thousand two hundred dollars (\$5,200) per annum, to be paid in equal monthly installments out of the special fund provided for herein or the general fund of the county if the special fund is insufficient for that purpose.

Section 2. The tax assessor shall be authorized to employ two full-time clerks, one of whom shall receive a salary of two thousand one hundred dollars (\$2,100) per annum and the other shall receive a salary of one thousand three hundred and twenty dollars (\$1,320) per annum. The salaries of clerks shall be paid in equal monthly installments out of the general fund of the county upon certificates of the assessor that the clerks have served and are entitled to be paid.

Section 3. All fees, commissions, and allowances heretofore collectible by the tax assessor for his own use shall be collected by him for the use of the county, and, when collected, they shall be covered into the county treasury to the credit of a special fund to be known as the Cost and Fee Fund.

Section 3 1-2. That out of this special fund or cost and fee fund as hereinabove provided, the salary of the Tax Assessor and clerk hire shall be paid, and the balance of said fund or savings shall be used for old age pensions in said County, or for old age assistance for residents of Walker County, who are approved by the Department of Public Welfare for old age assistance.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 6. This Act shall become effective at the expiration of the term of the incumbent tax assessor.

CHESTER M. BLACK,
Representative.

AFFIDAVIT

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared E. O. Roden, Pub. of The Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice—"An Act" who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely; June 2, June 9, June 16 and June 23, 1949.

THE UNION NEWS

E. O. RODEN,
Publisher.

Sworn and subscribed to before me, this 23 day of June, 1949.

MRS. ANNIE DAVIS,
Notary Public.

Also:

By Mr. Black:

H. 938. Relating to Walker County: To change the basis of compensating the probate judge; fixing his salary and providing for its payment; providing clerks for his office and fixing their compensation; providing that all fees, commissions, and allowances heretofore collectible for the use of the probate judge shall be collected by him and covered into the county treasury to the credit of a special fund to be known as the Cost and Fee Fund; repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County: To change the basis of compensating the probate judge; fixing his salary and providing for its payment; providing clerks for his office and fixing their compensation; providing that all fees, commissions, and allowances heretofore collectible for the use of the probate judge shall be collected by him and covered into the county treasury to the credit of a special fund to be known as the Cost and Fee Fund; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The entire compensation of the probate judge of Walker County, Alabama, shall be a salary of six thousand dollars (\$6,000) per annum, to be paid in equal monthly installments out of the special fund provided for herein or the general fund of the county if the special fund is insufficient for that purpose.

Section 2. The probate judge shall be authorized to employ in his office one chief clerk at a salary of two thousand eight hundred and

eighty dollars (\$2.880) per annum, one additional clerk at a salary of one thousand five hundred dollars (\$1,500) per annum, and one clerk at a salary of one thousand three hundred and twenty dollars (\$1,320) per annum. The salaries of clerks shall be paid in equal monthly installments out of the general fund of the county. With the approval of the governing body of the county, the probate judge may be allowed to expend an additional amount of not more than six hundred dollars (\$600) per year on clerk hire, but the judge shall not employ such additional help without first obtaining the approval of the governing body of the county. The salaries of clerks shall be paid by the Treasurer upon certification by the probate judge that the clerks have served and are entitled to be paid.

Section 3. All fees, commissions, and allowances heretofore collectible by the probate judge for his own use shall be collected by him for the use of the county and, when collected, they shall be by him covered into the county treasury to the credit of a special fund to be known as the Cost and Fee Fund.

Section 3 1-2. That out of this special fund or cost and fee fund as hereinabove provided, the salary of the probate judge and clerk hire shall be paid, and the balance of said fund or savings shall be used for old age pensions in said County, or for old age assistance for residents of Walker County, who are approved by the Department of Public Welfare for old age assistance.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 6. This Act shall become effective at the expiration of the term of the incumbent probate judge.

CHESTER M. BLACK,
Representative.

6-2-4t

AFFIDAVIT

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared E. O. Roden, Pub. of The Union News, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class privileges for fifty-two consecutive weeks prior to the publication of the Notice "An Act" who, being duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Union News for 4 consecutive weeks, namely; June 2, June 9, June 16 and June 23, 1949.

THE UNION NEWS

E. O. RODEN,
Publisher.

Sworn and subscribed to before me, this 23 day of June, 1949.

MRS. ANNIE DAVIS,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the forego-

ing message from the House, was severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 932, 933 and 938. To the Committee on Local Legislation.

BILLS ON THIRD READING RESUMED

The Bill:

S. 572. To impose extra, new, and additional duties upon the Attorney General of Alabama; to provide additional compensation for the performance of the extra, new, and additional duties hereby imposed upon him; and to provide for the payment of such additional compensation out of the general fund of the State of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 23; Nays 3.

Yeas:

Messrs.:	Clayton	Harvey	Lamberth
Allen	Fite	Henderson	Langan
Barrett	Glover	Hooton	Patterson
Bridges	Golson	Howle	Perry
Burnside	Gulledge	Hughes	Quarles
Cater	Hardwick	Kendall	Russell

—23

Nays: Messrs. Boutwell, Coleman and Swift

—3

The Bill:

S. 615. To authorize the governing body of any municipality in the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park, and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Harvey	Patterson
Allen	Clayton	Hooton	Patton
Barrett	Glover	Kendall	Quarles
Boutwell	Golson	Mize	Russell
Bridges	Gulledge	Owens	Wright
Burnside	Hardwick		

—21

Nays:

—0

The Bill:

S. 616. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Langan	Patton
Allen	Hardwick	Lowe	Quarles
Barrett	Harvey	Mize	Russell
Cater	Henderson	Owens	Summerlin
Clayton	Hooton	Patterson	Wright
Coleman	Lamberth		

—21

Nays:

—0

The Bill:

S. 617. Relating to all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing

body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hardwick	Lamberth	Patton	
Allen	Harvey	Langan	Perry	
Cater	Henderson	Lowe	Quarles	
Clayton	Hooton	Mize	Summerlin	
Coleman	Hughes	Patterson	Swift	
Glover	Kendall			—21

Nays: —0

The Bill:

S. 618. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hardwick	Lamberth	Patton	
Allen	Harvey	Langan	Perry	
Cater	Henderson	Lowe	Quarles	
Clayton	Hooton	Mize	Summerlin	
Coleman	Hughes	Patterson	Swift	
Glover	Kendall			—21

Nays: —0

The Bill:

S. 619. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public cor-

poration or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Cater
Clayton
Coleman
Cooper

Gulledge
Hardwick
Henderson
Hooton
Kendall
Lamberth

Langan
Lowe
Mize
Patterson
Patton

Quarles
Russell
Summerlin
Swift
Wright

—21

Nays:

—0

The Bill:

H. 991. To amend Local Act Number 602, of the Regular Session of the Legislature of 1939, approved by the Governor on June 28, 1940, entitled an Act: "To authorize and empower the Board of Revenue of Montgomery County, Alabama, in its discretion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$600.00 per annum to the support of the Montgomery Museum of Fine Arts. Said sum to be paid in equal monthly installments," as amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hughes	Patton	
Allen	Glover	Kendall	Perry	
Barrett	Hardwick	Langan	Summerlin	
Boutwell	Harvey	Mize	Swift	
Bridges	Henderson	Patterson	Wright	
Burnside	Howle			—21

Nays: —0

The Bill:

H. 993. To authorize and empower the Sheriff of Talladega County, Alabama to appoint, in addition to the Deputy or Deputies as now provided by law, a Deputy Sheriff, his term of office, prescribe his duties, fix his compensation, and to authorize and require the Court of County Commissioners of Talladega County, Alabama to pay the same said Deputy out of the General Funds of said County, and to require said Deputy to give bond in the sum of One Thousand Dollars payable to said Sheriff with conditions as required by law.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Owens	
Allen	Gaither	Hughes	Russell	
Barrett	Hardwick	Kendall	Summerlin	
Boutwell	Harvey	Lowe	Swift	
Bridges	Henderson	Mize	Wright	
Coleman	Hooton			—21

Nays: —0

The Bill:

H. 999. For the relief of ETTA BURKETT, widow of D. FRANK BURKETT, of JASPER, ALABAMA, as compensation for the death of D. FRANK BURKETT, whose death resulted from

injuries received at the hands of prisoners who escaped from the Walker County Jail on the afternoon of June 28, 1948, on which occasion D. FRANK BURKETT was engaged in the performance of his duties as warden of said Walker County Jail; to authorize and direct the governing body of Walker County to pay ETTA BURKETT the sum of \$2,500.00 as compensation for the death of D. FRANK BURKETT.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Howle	Quarles	
Allen	Fite	Hughes	Russell	
Barrett	Gaither	Kendall	Summerlin	
Boutwell	Glover	Kimbrell	Swift	
Bridges	Henderson	Lamberth	Wright	
Burnside	Hooton			—21

Nays:

—0

The Bill:

H. 934. Relating to Walker County, Alabama; amending Act No. 232, S. B. 187, approved July 31, 1935 (Local Acts of Alabama, 1935, p. 131) entitled: "An Act to abolish the County Commission of Walker County, and to establish in lieu thereof a Board of Revenue; to provide when said County Commission shall be abolished and said Board of Revenue established; to provide the number of members of said Board of Revenue; to prescribe their terms of office, authority, powers, duties and fix their compensation; to provide for the selection and election of said members, and to repeal all laws and parts of laws in conflict herewith."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hooton	Lamberth	
Allen	Clayton	Howle	Patton	
Barrett	Coleman	Hughes	Perry	
Boutwell	Glover	Kendall	Swift	
Bridges	Harvey	Kimbrell	Wright	
Burnside	Henderson			—21

Nays:

—0

The Bill:

H. 996. To fix the compensation or salary of the County Treasurer in counties of 400,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require such officer to pay in to the County Treasury of such county or Counties, all

fees, commissions, costs, or other emoluments which are now allowed by law.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Howle	Patton	
Allen	Fite	Hughes	Perry	
Barrett	Glover	Kendall	Quarles	
Boutwell	Gulledge	Mize	Summerlin	
Bridges	Hardwick	Patterson	Wright	
Burnside	Harvey			—21

Nays: —0

The Bill:

H. 997. To fix and increase the salary of the Judge of the Juvenile and Domestic Relations Court of Jefferson County, Alabama, and provide for the payment thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Harvey	Mize	Quarles	
Boutwell	Henderson	Owens	Russell	
Cater	Hooton	Patterson	Summerlin	
Clayton	Howle	Patton	Swift	
Coleman	Langan	Perry	Wright	
Hardwick	Lowe			—21

Nays: —0

The Bill:

H. 998. To regulate the trials of Civil Cases in Jefferson County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Kimbrell	Quarles	
Barrett	Glover	Lamberth	Russell	
Boutwell	Golson	Patterson	Summerlin	
Clayton	Gulledge	Patton	Swift	
Coleman	Hughes	Perry	Wright	
Fite	Kendall			—21

Nays: —0

The Bill:

H. 1006. To provide for the education or training of deputies sheriff of the Sheriff in all counties of the State of Alabama with

a population of 400,000 or more according to the last Federal Census at the Federal Bureau of Investigation National Police Academy; and for payments of expenses incident thereto.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Langan	Quarles	
Allen	Hardwick	Lowe	Russell	
Barrett	Harvey	Mize	Summerlin	
Boutwell	Henderson	Owens	Swift	
Clayton	Hooton	Patterson	Wright	
Coleman	Lamberth			—21

Nays:

—0

The Bill:

S. 623. To apply only in counties having a population of at least one hundred forty thousand (140,000) and not more than four hundred thousand (400,000) inhabitants according to the last or any subsequent federal census; to provide that persons who served in the armed forces of the United States between January 1, 1917 and November 11, 1918 or between September 16, 1940 and December 8, 1945 and who received an honorable discharge therefrom, may present their certificates of discharge to the board of registrars as supporting evidence of their qualifications for registration, which certificates shall be sufficient and supporting witnesses shall not be necessary.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Lowe	Quarles	
Allen	Golson	Mize	Russell	
Barrett	Gulledge	Owens	Summerlin	
Boutwell	Kimbrell	Patterson	Swift	
Bridges	Lamberth	Patton	Wright	
Burnside	Langan			—21

Nays:

—0

The Bill:

S. 624. To authorize and require the City of Mobile to hereafter pay and reimburse the County of Mobile a portion of the cost of operating, maintaining and keeping in repair the Mobile County Hospital for the diagnosis and temporary care and treatment of mentally diseased persons; to prescribe how Mobile County shall keep an account of such expenditures and present

its claim therefor to the City of Mobile and the time of payment thereof by the City of Mobile; to prescribe a rule of evidence in any suit or suits hereafter brought by the County of Mobile against the City of Mobile to recover of the City of Mobile its proportionate part of any such expenditures; to provide how admissions to said hospital shall be made, and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Kimbrell	Owens	
Boutwell	Hardwick	Lamberth	Patterson	
Bridges	Harvey	Langan	Patton	
Burnside	Henderson	Lowe	Perry	
Cater	Hooton	Mize	Quarles	
Golson	Kendall			—21

Nays: —0

The Bill:

H. 635. Relating to public health: To regulate, through licensure, hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act.

Was taken up.

The Standing Committee on Public Health reported the following Amendment to the Bill, to-wit:

SENATE COMMITTEE AMENDMENT H. B. 635

Amend H. B. 635 by striking out Section 9 and inserting in lieu therefor the following:

Section 9. Appointment and terms of office of Advisory Board members

There shall be an Advisory Board of ten members to assist in the establishment of rules regulations and standards necessary to carry out the provisions of this Act and to serve as consultants to the State Health Officer. The Board shall meet at least twice each year and at the call of the State Health Officer. The members at the Board shall annually elect one of its members to serve as Chairman.

The Advisory Board shall be constituted in the following manner: Four representatives of hospitals who shall be appointed by the Board of Trustees of the Alabama Hospital Association as follows: One administrator of a governmental hospital, one administrator of a non-governmental non-profit hospital, one owner or administrator of a proprietary hospital, one member of a

managing board of a non-profit hospital, three representatives who shall be Doctors of Medicine appointed by the Board of Censors of the Alabama State Medical Association, one representative who shall be a Registered Nurse appointed by the Executive Board of the Alabama State Nurses Association, one representative from the Board of the Department of Public Welfare to be appointed by the Board and one registered pharmacist actively engaged in the practice of pharmacy in the State of Alabama, to be appointed by the Alabama State Board of Pharmacy. Of the original representatives appointed by the Board of Trustees of the Alabama Hospital Association one shall serve for three years, two shall serve for four years, and one shall serve for five years. One of the representatives appointed by the Board of Censors of the Alabama State Medical Association shall serve for two years, one shall serve for three years, one shall serve for five years. The one representative appointed by the Alabama State Nurses Association shall serve for four years. The one representative from the State Board of Public Welfare shall serve for four years and the one representative from the State Board of Pharmacy shall serve for four years. Thereafter, each new appointee shall serve for five years or until his successor is appointed, except that in the case of a vacancy the appointee shall serve for the remainder of the unexpired term. Any vacancy shall be filled by the original organization selecting said member.

Members of the Advisory Board shall not be eligible to succeed themselves after they have served one full five-year term, but shall be eligible for reappointment if they have not served immediately preceding their reappointment.

Members of the Advisory Board shall serve without compensation but shall be entitled to reimbursement for actual expenses incurred in the performance of the duties of their office.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Coleman	Kimbrell	Patton
Allen	Fite	Lamberth	Perry
Barrett	Gulledge	Langan	Quarles
Boutwell	Hardwick	Lowe	Russell
Bridges	Henderson	Mize	Summerlin
Burnside	Hooton	Owens	Swift
Cater	Howle	Patterson	Wright
Clayton	Kendall		

—29

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Kendall	Patton
Barrett	Glover	Kimbrell	Perry
Boutwell	Golson	Lamberth	Quarles
Bridges	Gulledge	Langan	Russell
Burnside	Hardwick	Lowe	Summerlin
Cater	Harvey	Mize	Swift
Clayton	Henderson	Owens	Wright
Coleman	Hooton		

—33

Nays:

—0

H. 283. To amend Section 8 of an act entitled "An Act To provide that all cities in Alabama that now have, or may hereafter have a population of as much as 15,000 and less than 17,500, according to the last Federal Census, or any such census, which may hereafter be taken, shall be known and designated as Class "D" Cities; to provide and create a Commission Form of Government and to establish the same in all Class "D" Cities of Alabama as herein defined; to abolish the officers of Mayor and aldermen or commissioners, as the case may be, and otherwise to provide for the creation and maintenance of said Commission Form of Government; to provide for the selections and elections of a Chairman and two (2) Associate Commissioners in lieu of Mayor and Aldermen or commissioners, as the case may be; to prescribe limitations and qualifications for officers and employees and penalties for violation of the provisions of this Act; to provide for the adoption of the Commission Form of Government, under the provisions of this Act by an election of the qualified electors of such city, the manner, method and provisions for the conduct of said elections; canvass of returns and proclamation by the Mayor or other governing authority of said city; to fix the duties, powers and compensation of the Board of Commissioners."

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Gaither	Hughes	Patterson
Allen	Glover	Kendall	Patton
Barrett	Golson	Kimbrell	Perry
Bridges	Gulledge	Lamberth	Quarles
Burnside	Hardwick	Langan	Russell
Clayton	Harvey	Lowe	Summerlin
Coleman	Henderson	Mize	Swift
Fite	Hooton	Owens	

—30

Nays:

—0

The Bill:

H. 801. To provide for the creation of the office of Assistant Commissioner of Revenue of the Department of Revenue; to de-

fine the qualifications, duties, and authority of such office; to provide that the Assistant Commissioner of Revenue shall be appointed and hold office under the provisions of the State Merit System as provided by law; to provide for the severability of the provisions of this Act; to provide for the repeal of laws in conflict herewith; to provide for the effective date of this Act.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Coleman	Henderson	Lowe
Allen	Fite	Hooton	Mize
Barrett	Gaither	Howle	Owens
Boutwell	Glover	Kendall	Patterson
Bridges	Golson	Kimbrell	Patton
Burnside	Gulledge	Lamberth	Perry
Cater	Hardwick	Langan	Swift
Clayton	Harvey		

—29

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

H. J. R. 134. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING:

1. House Bill 35 which has passed both the House and the Senate is hereby designated as the "Givhan, Harris, Martin (Greene), McDonald, Buckner, Shirley, Thompson (Pike), Harrison, Martin (Dallas), White (Covington), Ramey, Brannan, Doughty, Broadwater, George, Busby, Molette, Adams (Dale), Thagard, Taylor (Autauga), Pruitt, Vann, Callahan, Bush, Haynes (Lowndes), Coburn, Garrett, Faulk, Nelson, Larkin, Richardson, Robinson, Taylor (Hale), Mason, Knight, Ingalls, Mathison, Dobbs (Elmore), Beck, Clayton, Henderson, Kendall, Golson, Patton, Hardwick, Hooton Act."

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. R. 134, set out in the foregoing message from the House was read and referred to the Standing Committee on Rules.

MOTION TO RECONSIDER

Mr. Boutwell moved that the Senate reconsider the vote by which it passed the bill, H. B. 998, and said vote was reconsidered.

And on motion of Mr. Boutwell said bill was ordered left on the Calendar for consideration on the next Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. McGowin:

H. 942. To amend Section 2 of Title 23 of the 1940 Code of Alabama relating to the Highway Director.

Also:

By Mr. Haynes (Franklin):

H. 985. To abolish the Court of County Revenues of Franklin County as it now exists and to establish in lieu thereof a Board of Revenue of Franklin County; to provide for its organization, powers, jurisdiction and duties; to provide for the qualifications, election and compensation of its members; to repeal all acts heretofore enacted relative to the Court of County Revenues of Franklin County and especially Act No. 479, S. 222, approved February 27, 1901, Acts of Alabama 1900, page 1203; and providing that this Act shall become effective upon its approval by the qualified electors of Franklin County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF FRANKLIN

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the Court of County Revenues of Franklin County as it now exists and to establish in lieu thereof a Board of Revenue of Franklin County; to provide for its organization, powers, jurisdiction and duties; to provide for the qualifications, election and compensation of its members; to repeal all acts heretofore enacted relative to the Court of County Revenues of Franklin County and especially Act No. 479, S. 222, approved February 27, 1901, Acts of Alabama 1900, page 1203; and providing that this Act shall become effective upon its approval by the qualified electors of Franklin County.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Court of County Revenues of Franklin County as the same now exists is hereby abolished. In lieu of the Court hereby abolished, there is hereby established and created a Board of Revenue of Franklin County, Alabama, which shall be composed of five members.

Section 2. At the general election held for the election of county and state officers in 1952, there shall be elected five members of the Board of Revenue of Franklin County, Alabama. One member of said Board shall be elected from and by the qualified electors of each of the four commissioners districts of Franklin County as they are now constituted. Such members so elected shall be qualified electors of Franklin County and shall be electors of and reside in the district from which he or she is elected. Such members shall be nominated by the electors from the respective district which they propose to represent if elected. One member, who shall be designated chairman of the Board of Revenue,

shall be elected by the qualified electors of the county at large. Such member, elected as chairman, must be a resident and qualified elector of Franklin County. Each of said members so elected shall hold office for a term of four years or until his successor is elected and qualified. Every candidate for office to membership of the Board of Revenue of Franklin County shall designate in the announcement of his candidacy the number of the district in which he is a candidate, or that he is a candidate for chairman of the Board of Revenue, and the ballots used in said election shall show the place on the board for which the person is a candidate. Members of the Board of Revenue of Franklin County who are elected in the general election of 1952 shall take office on January 15th of the year next following their election.

Section 3. The incumbent commissioners representing the four commissioners districts shall continue to serve and represent their respective districts as members of the Board of Revenue until January 15, 1953 or until their successors are elected and qualified. Immediately following the effective date of this Act the Governor shall appoint a person to serve as a member and chairman of the Board of Revenue. The person appointed as chairman must be a resident and qualified elector of Franklin County and shall serve as chairman until January 15, 1953 or until his successor is elected and qualified.

Section 4. The members of the Board of Revenue of Franklin County shall receive the same compensation and allowances for the performance of their duties as is now or may hereafter be provided by the general laws of the State of Alabama for members of the courts of county commissioners, boards of revenue or other like county governing bodies.

Section 5. Except as otherwise provided herein, the Board of Revenue of Franklin County shall have the same powers and jurisdiction, and shall perform the same duties which are now or may hereafter be conferred or imposed upon boards of revenue, courts of county commissioners or other like county governing bodies by the general laws of the State of Alabama.

The expenditure and management of all county, road and bridge funds shall be under the exclusive control and supervision of the Board of Revenue of Franklin County. It is provided, however, that such funds shall be appropriated or allocated pro rata among the several districts except by unanimous consent of the members of the board.

Section 6. The Board of Revenue of Franklin County shall have the authority to employ a county engineer, to prescribe his qualifications, to fix his term of office, and to fix his compensation.

Section 7. The chairman of the board shall be the presiding officer of the board and shall have the same powers and authority as other members in passing upon any and all questions which come before the board. In addition to his other duties, the chairman shall also exercise all powers and perform all the duties required to be performed by the probate judge under the general laws of the State of Alabama in those counties where the probate judge sits as an ex-officio member of the county governing body of the county.

Section 8. Should any sentence, paragraph, section or clause of this Act be declared unconstitutional by any court of competent jurisdiction, then such action by said court shall not affect the other provisions of this Act which are otherwise constitutional.

Section 9. That all laws, general, local and special having to do with the county governing body of Franklin County are hereby repealed, and especially Act No. 479, S. 222, approved February 7, 1901 Acts of Alabama 1900, page 1203, and any and all other acts which may be in conflict herewith.

Section 10. This Act shall not become effective unless a majority of the qualified electors voting in an election to be held in Franklin

County on the first Tuesday following the expiration of three months, after the final adjournment of the present session of the Legislature, shall vote to adopt the provisions of this Act. On the ballot to be used at the election, the question shall be: "Do you favor the adoption of the provisions of Act No., (H. by Haynes), approved, 1949?" Only qualified electors of Franklin County shall be entitled to vote at such election, notice of which shall be given by the probate judge not less than ten days before the election is to be held. If a majority of the votes cast at such election shall be in favor of the proposal, the provisions of this Act shall become effective immediately, but if a majority shall oppose the proposal, the Act shall have no effect. 7-7-4t.c.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. C. Giles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 7, July 14, July 21, and July 28, all in the year 1949.

M. C. GILES.

Sworn to and subscribed before me July 29, 1949.

MABEL AMOS,
Title Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing message from the House, were severally read one time and referred to the appropriate Standing Committees as follows:

H. B. 942. To Committee on Public Roads and Highways

H. B. 985. To the Committee on Engrossed Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Thagard and Harris:

H. 813. Proposing an amendment to Article 12, Section 232 of the Constitution of Alabama and ordering an election thereon.

Also:

By Mr. Ingalls:

H. 794. To regulate the sale and delivery of motor fuel at retail for use and consumption in motor vehicles so as to require that the dispensing equipment be operated by the retailer or his agent and not by anyone else; to fix penalties for the violation thereof and to provide for the administration, enforcement and construction of this act.

Also:

By Mr. Ingalls:

H. 959. Relating to insurers not authorized to transact business in this state; providing for actions in this state against and for the service of process upon such insurers; and prescribing how a defense may be made by such insurers.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 813. To Committee on Constitution and Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

H. B. 794. To Committee on Finance and Taxation.

H. B. 959. To Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Haynes (Franklin), Coburn, Barnett and Rogers:

H. 604. To authorize and create an additional Judge of the Eleventh Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, to provide for the designation of each of the two offices of Circuit Judge of said Circuit by number and to provide for the salary of said Judges.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 604. To Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 351. Said report of said Conference Committee being in words and figures as follows:

REPORT OF THE CONFERENCE COMMITTEE ON THE DISAGREEMENT BETWEEN THE TWO HOUSES ON HOUSE BILL 351

To the House of Representatives and Senate of Alabama:

We, the undersigned members heretofore appointed as Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, House Bill 351, beg leave to report as follows:

That the Senate substitute for House Bill 351 be amended as follows:

1. By striking therefrom Section 22 thereof in its entirety and inserting in lieu thereof the following: "Section 22. This Act shall become effective on November 1, 1949."

2. By striking therefrom the second paragraph of Section 9 thereof and inserting in lieu thereof the following: "Any prospective absentee voter meeting the requirements of Section 2, above, who is a member of the Armed Forces of the United States of America, may, not more than forty nor less than five days prior to the election at which he desires to vote, make application by United States mail in writing, to the register or person designated to serve instead of the register, for an absentee ballot as herein provided to be made by a prospective voter in person. Such application shall have attached thereto a certificate signed by the commanding officer of such person, certifying that such person is then serving in the Armed Forces of the United States. The affidavit herein provided to be attached to the absentee ballot shall be executed by the prospective voter in person before his commanding officer who shall certify to such fact. Such ballot shall be returned by United States mail to the register or to the person acting in his stead and shall be by him marked the day and hour of the receipt thereof. When received by the register or person acting in his stead, the ballot shall be handled and counted in the same manner as ballots voted before the register in person."

And as thus amended House Bill 351 be passed by both Houses.

A. L. PATTERSON,
R. G. KENDALL,
ALBERT BOUTWELL,
Conferees on the part of the
Senate.

WALLACE D. MALONE,
C. B. COX,
CARL A. MORRING, JR.
Conferees on the part of the
House.

The vote being: Yeas 73; Nays 1. And said bill:

H. 351. To provide for absentee voting in primary, general, special, and municipal elections: prescribing penalties for violations of the Act and repealing conflicting laws.

as amended by the report of the Committee of Conference was again read at length and passed by a vote of: Yeas 78; Nays 0.

And said bill, together with the report of the Committee of Conference is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND CONFERENCE REPORT

On motion of Mr. Patterson the Senate concurred in and adopted the foregoing Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. B. 351, the title of which is set out in the foregoing message from the House, to-wit:

Yeas 22; Nays 8.

Yeas:

Messrs.:	Gaither	Kendall	Patton	
Allen	Glover	Kimbrell	Perry	
Barrett	Golson	Langan	Russell	
Boutwell	Hardwick	Lowe	Summerlin	
Bridges	Henderson	Owens	Swift	
Burnside	Hooton	Patterson		—22

Nays:

Messrs.:	Coleman	Lamberth	Quarles	
Cater	Fite	Mize	Wright	
Clayton				—8

And said bill, as thus amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 20; Nays 9.

Yeas:

Messrs.:	Gaither	Henderson	Patterson	
Allen	Glover	Kendall	Patton	
Barrett	Golson	Kimbrell	Perry	
Boutwell	Gulledge	Langan	Summerlin	
Bridges	Hardwick	Lowe	Swift	
Burnside				—20

Nays:

Messrs.:	Coleman	Lamberth	Quarles	
Cater	Fite	Mize	Wright	
Clayton	Hooton			—9

MESSAGE FROM THE HOUSE

Mr. President:

The House has adopted the following report of the Investigation Committee:

The Joint House and Senate Committee appointed under authority of S. J. R. No. 65 begs to report the following:

Your committee made a thorough investigation of Fort Morgan and found conditions which need immediate attention. The brick construction is beginning to crumble due to water leakage, which condition should be corrected by water-proofing the roof and restoring the fine brick work which has deteriorated. The moats surrounding the Fort should be cleaned and restored. Markers explaining the historical significance of the Fort should be constructed. A small house for the use of the caretaker should be erected. Adequate rest room facilities for public use should be provided.

Your committee further recommends that a joint House-Senate Historical Committee be appointed by the 1951 Legislature to supervise the restoration and preservation of Alabama's priceless historical shrines.

Your committee further recommends the passage of House Bill No. 315 appropriating \$10,000 for the restoration of Fort Morgan be immediately passed.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Senate concurred in and adopted the foregoing report of the Joint Committee appointed under S. J. R. 65 to investigate conditions at Fort Morgan.

REPORT FROM RULES COMMITTEE

Mr. Swift, chairman of Standing Committee on Rules, reported that said committee in session had acted on the following Resolution and ordered same returned to the Senate with favorable report, to-wit:

H. J. R. 133. Relative to adjournment of the two Houses until Friday August 19, 1949 at 9 o'clock A. M.

And said Resolution was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Thompson (Crenshaw):

H. 268. To amend Sections 317, 318, 320, 321, 322, 323, 325, and 327 of Title 28, 1940 Code of Alabama, relating to the State Insurance Fund.

Also:

By Messrs. Meeks, Beatty, Adams (Jefferson) and Gibson:

H. 1063. To amend Section 81 of Title 51 of the Code of Alabama (1940), which relates to the valuation of real property assessed for taxes in counties having a population of 200,000 or more.

Also:

By Messrs. Stone, Brannan, Johnston and Sullivan:

H. 651. To Amend Section 7 of an Act entitled, "An Act to create the office of Land Agent and so forth", Approved July 9, 1945.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing message from the House, were read severally one time and referred to the appropriate Standing Committees as follows:

H. B. 268. To Committee on Insurance.

H. B. 1063. To Committee on Local Legislation.

H. B. 651. To Committee on Finance and Taxation.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolution with the original Senate Joint Resolution and finds same correctly enrolled, to-wit:

S. J. R. 69. Relative to; The naming of Senate Bill No. 148.

Also:

S. J. R. 70. Relative to; Senate Bill No. 468 being known as the Mize, Callahan, Shelton Bill.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested:

H. 185. To amend Section 30 of Title 41 of the 1940 Code of Alabama which relates to appropriation for rental of office spaces.

Also:

H. 935. To require the coroner of Walker County, Alabama, to investigate all cases of death in instances where persons die in said county without having been attended by a physician and to file certificates of death with the health officer of Walker County, Alabama, and to prescribe the compensation of the coroner and the manner of its payment.

Also:

H. 936. To fix the term of office of the Tax Assessor of Walker County, Alabama, and to provide for his election.

Also:

H. 937. To fix the term of office of the Tax Collector of Walker County, Alabama, and to provide for his election.

Also:

H. 946. To repeal Act No. 488, S. B. 296, approved July 6, 1945, entitled "An Act To set a due date for the Fine and Forfeiture Fund certificates for Walker County to pay at least \$5,000.00 yearly out of any funds that they have to redeem said Fine and Forfeiture Fund," (Local Acts of Alabama, 1945, p. 190).

Also:

H. 947. To repeal Act No. 579, H. B. 1010, approved October 9, 1947, entitled "An Act to abolish the fine and forfeiture fund of Walker County; to provide for the transfer of the fine and forfeiture funds into the general fund of the county and to provide for registration and payment of officers script now outstanding or issued in the future," (Local Acts of Alabama, 1047, p. 394).

Also:

H. J. R. 129. Relative to extending congratulations to Walter D. Bellingrath on his eightieth birthday.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 598. To amend Title 37, Section 667, of the 1940 Code of Alabama.

Also:

S. 602. Relating to Marengo County: To divide the county into four forest-protection districts, creating the offices of Chief Forest Warden for the county and District Forest Warden for each district, prescribing the duties of such officers, fixing their compensation, and imposing such duties upon the President and members of the Board of Revenue ex officio.

Also:

S. 603. To fix the compensation of the members of the county governing body, exclusive of the judge of probate, in each county in the State having a population of not less than fifty-two thousand and not more than sixty-three thousand, according to the

last or any subsequent federal census; and to provide for the payment of the same.

Also:

S. 604. To amend Section 3, Section 7, and Section 8 of Senate Bill 365 of the local acts of the Legislature of Alabama, 1947, approved October 2, 1947, entitled "An Act to provide for collection of delinquent court costs and fees in Jefferson County."

Also:

S. 607. To vacate and abandon certain parks in the Survey of Oakwood Estates in the City of Birmingham, County of Jefferson, State of Alabama.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Thompson (Crenshaw):

H. 625. To amend Section 152 of Title 41, Chapter 4, Article 1, of the Code of Alabama of 1940 which relates to amounts of salaries.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing message from the House, was read one time and referred to the appropriate Standing Committee as follows:

H. B. 625. To Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 635. Relating to public health: To regulate, through licensure, hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Dumas and Merrill:

H. 1021. To provide for the designation of a hospital association or board heretofore or hereafter organized under the provisions of Act No. 211, General Acts of Alabama, approved July 7, 1945 (Acts of 1945, page 330) or under the provisions of Act No. 46 adopted by the 1949 Regular Session of the Legislature of Alabama approved June 2, 1949, as the agency of the county to acquire, construct, equip, operate and maintain public hospital facilities in any county in which a special county tax for public hospital purposes has heretofore or shall hereafter be authorized at an election held in the county pursuant to the provisions of any amendment to the Constitution; to provide for the payment of proceeds of the special county tax to such hospital association or board so designated; to confer authority upon such hospital association or board to anticipate the proceeds of any such special county tax required to be paid to it by the issuance of securities and to pledge for the payment of the principal and interest thereon, not exceeding 75% of the annual proceeds from said tax so paid to it; to authorize the pledge of all or any part of the revenues of such hospital association or board in payment of its securities and the mortgage of all or any part of the property, real or personal, or any interest therein of such hospital association or board as security for such payment; to provide for the sale of such securities and for the validation of said tax and of the agreements and pledge made for such securities; and to repeal Act No. 237 adopted by the 1949 Regular Session of the Legislature of Alabama and approved July 14, 1949.

Also:

By Mr. Dumas:

H. 717. To prohibit any deputy sheriff, sheriff, constable, deputy constable, or any state, county or municipal officer or employee, or any bondsman or his attorney-in-fact or agent, or any other person except attorneys-at-law in the practice of law, to receive or solicit any money or other thing of value from any defendant who stands charged with a public offense, or from another acting for such defendant, under an agreement, cloak, guise or pretense of using his influence or effort to have such defendant freed of such charge, or placed on probation, or his punishment reduced or lightened, and to provide punishment for a violation thereof.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which were set out in the foregoing message from the House, were severally read and referred to the Standing Committees as follows:

H. B. 1021. To Committee on Public Health.

H. B. 717. To Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

By Messrs. Boutwell and Swift:

S. 431. To amend Sections 1 and 3 of Act No. 523, Senate Bill 315, approved September 30, 1947, entitled, "An Act To create and establish a Water Improvement Advisory Commission; to define the duties, jurisdiction, and powers of such commission; to provide for its personnel, and the term of office and method for appointment of same; to provide for regular and special meetings of said Commission; to appropriate the sum of Fifty Thousand and No /100 (50,000.00) Dollars annually for each of the fiscal years 1948 and 1949, for the purpose of carrying out the provisions of this Act; and for other purposes."

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Gibson:

H. 886. To amend Section 92 of Title 55 of the Code of Alabama of 1940, which relates to the duties of the Budget Officer.

By Mr. Gibson:

H. 885. To amend Section 81 of Title 55 of the Code of Alabama (1940) which relates to the division of control and accounts; the comptroller.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the Titles of which are set out in the foregoing message from the House, were severally read and referred to the appropriate Standing Committees as follows:

H. B. 886. To Committee on Finance and Taxation.

H. B. 885. To Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Snodgrass, McIlwain, Inzer, Sellers, Faulk, Kaul and McGowin:

H. 730. To amend Section 8 of Act # 351, General Acts of Alabama 1947, page 231, entitled "An Act to provide for auditing periodically the books, accounts, vouchers, and records of public officers, agencies, and institutions; creating a Department of Examiners of Public Accounts and a supervisory Legislative Committee on Public Accounts; abolishing the Division of Examiners of Public Accounts of the Department of Finance and transferring its functions, funds, books, records, furniture, fixtures, supplies, equipment, and personnel; and prescribing penalties for violations of this Act."

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing message from the House, was read one time and referred to the appropriate Standing Committee as follows:

H. B. 730. To Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. McIlwain:

H. 442. To amend Section 69 of Title 8 of the Code of Alabama (1940).

Also:

By Mr. Harris:

H. 962. To provide supernumerary judges for courts of record; to prescribe their tenure, duties, powers, fix their compensation and the method of payment, and to prescribe the terms and conditions under which members of the Supreme Court and the Court of Appeals may become such.

Also:

By Messrs. Meeks, Merrill and Gibson:

H. 75. To equalize the pay of Supernumerary Judges, prescribe their duties, and to refund to them their reasonable expenses for travel and hotel bills while engaged in their official duties in counties other than that of their residence.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing message from the Senate, were severally read one time and referred to the appropriate Standing Committees as follows:

H. B. 442. To the Committee on Fish and Game.

H. B. 962. To Committee on Judiciary.

H. B. 75. To Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Lovelace:

H. 1047. To amend Section 201, Chapter 9, Title 15, Code of Alabama 1940, relating to bail, as amended by Act No. 199, as approved July 8, 1949.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1047. To Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Brannan:

H. 315. To appropriate the sum of ten thousand dollars (\$10,000.00) for repairing and restoring Fort Morgan, located in Baldwin County.

Also:

By Messrs. Inzer, Sellers, Faulk, Kaul and McIlwain:

H. 913. To provide legal counsel for the Chief Examiner and Department of Public Accounts.

Also:

By Mr. Callahan:

H. 756. To amend Section 465 of Title 51 of the Code of Alabama (1940), which relates to privilege licenses for automobile accessory dealers.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing message from the House, were severally read one time and referred to the appropriate Standing Committee as follows:

H. B. 315. To Committee on Finance and Taxation.

H. B. 913. To Committee on Finance and Taxation.

H. B. 756. To Committee on Finance and Taxation.

At 5:40 P. M. Mr. Fite moved that the Senate take a recess until 8 o'clock tonight, which motion was lost.

Yeas 10; Nays 21.

Yeas:

Messrs.:
Bridges
Burnside

Fite
Hardwick
Harvey

Hooton
Howle
Kimbrell

Lamberth
Langan

—10

Nays:

Messrs.:
Allen
Barrett
Boutwell
Cater
Clayton

Coleman
Gaither
Golson
Gulledge
Henderson
Hughes

Kendall
Lowe
Mize
Owens
Patterson

Perry
Quarles
Russell
Swift
Wright

—21

The Bill:

H. 52. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, and for the interest on the public debt, and for the public schools. was taken up.

Mr. Allen offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR H. B. 52

**A BILL
TO BE ENTITLED
AN ACT**

To make appropriations for the ordinary expenses of the executive, legislative, and judicial departments of the State, for interest on the public debt, and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. In pursuance of Sections 71 and 72 of the Constitution of 1901, there is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for interest on the public debt, and for the public schools, for each of the fiscal years 1949-1950 and 1950-51, out of the funds in the State Treasury herein designated, the several sums of money herein specified, or so much thereof as may be necessary for the purposes indicated. And, except as may be otherwise herein expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions, and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama, 1940), and the amount specified for an object shall be the maximum amount to be spent therefor, the provisions of any law, statute, or regulation to the contrary notwithstanding.

FROM THE GENERAL FUND**I. EXECUTIVE:**

THE GOVERNOR'S OFFICE,
for the fiscal year ending
September 30, 1950:

For the salary of the Governor.....	\$ 6,000.00
For other salaries.....	39,600.00
For other expenses.....	6,000.00
For equipment purchases.....	500.00
For Legal Counsel, as set out in Act No. 116, 1949 Legislature.....	5,700.00
Division of Records and Reports.....	9,000.00

Total	66,800.00
--------------------	------------------

For the fiscal year ending September
30, 1951:

For the salary of the Governor.....	6,000.00
For other salaries.....	39,600.00
For other expenses.....	6,000.00
For equipment purchases.....	3,500.00
For Legal Counsel, as set out in Act No. 116, 1949 Legislature.....	5,700.00
Division of Records and Reports.....	9,000.00

Total	69,800.00
-------------	-----------

For the Governor's Contingent Fund.....	25,000.00
---	-----------

(This appropriation is the fund contemplated in
Section 179 of Title 55 of the Code of Alabama
(1940) and the maximum amount to be spent for
the purposes therein mentioned.)

For the Governor's Emergency Fund.....	100,000.00
--	------------

(This appropriation entitled "Governor's Emer-
gency Fund" is the appropriation contemplated
in Section 105, Title 55 of the Code of Alabama
(1940) and shall be the only amount appropri-
ated and the total amount expended under the
provisions of said section.)

II. LEGISLATIVE:

For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses for the fiscal year ending September 30, 1950, and for the salaries and ex- penses of the Legislature for extraordinary ses- sions	100,000.00
--	------------

For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for any expenses for any legislative sessions for the fiscal year ending September 30, 1951.....	600,000.00
---	------------

For printing legislative acts and journals for the fiscal year ending September 30, 1950.....	40,000.00
--	-----------

III. JUDICIAL:

(1) THE SUPREME COURT:

For the salaries of the Chief Justice and six Associate Justices.....	66,500.00
For the salary of the Clerk of the Court	4,500.00
For the salary of the Reporter of De- cisions	4,800.00

REGULAR SESSION

1911

For other salaries.....	28,320.00	
For other expenses.....	6,880.00	
Total		111,100.00
For the Supreme Court Library Fund.....		3,500.00
For the salary of supernumerary judges (estimated)		15,000.00
(2) THE COURT OF APPEALS:		
For the salaries of the three judges....	27,000.00	
For other salaries.....	11,340.00	
For other expenses.....	3,150.00	
Total		41,490.00
(3) THE CIRCUIT COURTS:		
For the salaries of the forty-eight judges of the circuit courts		288,000.00
For travel expenses of circuit judges.....		7,500.00
For the salaries and travel expenses of special judges (estimated)		3,000.00
For the salaries of twenty-eight cir- cuit solicitors	134,400.00	
For the salary of the deputy circuit solicitor of the Bessemer Division of the 10th Judicial Circuit.....	4,800.00	
For the salary of the assistant deputy solicitor of the Bessemer Division of the 10th Judicial Circuit.....	3,600.00	
For the salary of the 1st, 2nd, and 3rd deputy solicitor of the Birmingham Division of the 10th Judicial Cir- cuit; \$4,200.00 each.....	12,600.00	
For the salaries of the deputy circuit solicitors of the 13th Judicial Cir- cuit	5,400.00	
For the salary of the deputy circuit solicitor of the 15th Judicial Cir- cuit	4,200.00	
Total		165,000.00
For the travel expenses of circuit solicitors.....		6,000.00
For telephone service, stationery, stamps and nec- essary equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants		10,000.00
(4) COURT REPORTERS:		
For the compensation of the thirty-three circuit court reporters, 1947 Acts, page 289.....		39,600.00

IV. CONSTITUTIONAL OFFICES:

(1) OFFICE OF THE ATTORNEY
GENERAL:

For the salary of the Attorney General	5,700.00	
For other salaries	84,300.00	
For other expenses	12,500.00	
For equipment purchases	1,000.00	
Total		103,500.00

(2) OFFICE OF THE STATE
AUDITOR:

For the salary of the State Auditor	4,800.00	
For other salaries	23,820.00	
For other expenses	610.00	
For equipment purchases	200.00	
Total		29,430.00

(3) OFFICE OF THE SECRETARY
OF STATE:

For the salary of the Secretary of State	4,800.00	
For other salaries	14,220.00	
For other expenses	2,000.00	
For equipment purchases	500.00	
Total		21,520.00

(4) OFFICE OF THE STATE
TREASURER:

For the salary of the State Treasurer	4,800.00	
For other salaries	44,500.00	
For other expenses and compensation of fiscal agents	8,200.00	
For equipment purchases	500.00	
Total		58,500.00

V. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:

(1) AGRICULTURAL CENTER BOARD:

For salaries, maintenance and upkeep incident to the operations of the livestock coliseum at Montgomery, Alabama for the fiscal year ending September 30, 1951	50,000.00
--	-----------

(2) DEPARTMENT OF ARCHIVES
AND HISTORY:

For the fiscal year ending September 30, 1950:	
--	--

REGULAR SESSION

1913

For the salary of the Director.....	4,200.00	
For other salaries.....	35,000.00	
For other expenses.....	7,300.00	
For equipment purchases.....	1,500.00	
For expenses of publication of the Alabama Historical Quarterly.....	2,000.00	
For the printing of the Statistical Register	7,000.00	
Total		57,000.00

For the fiscal year ending September
30, 1951:

For the salary of the Director.....	4,200.00	
For other salaries.....	35,000.00	
For other expenses.....	7,300.00	
For equipment purchases.....	1,500.00	
For expenses of publication of the Alabama Historical Quarterly.....	2,000.00	
Total		50,000.00

(2½) PUBLIC LIBRARY SERVICE
DIVISION:

For salaries	23,400.00	
For other expenses.....	10,800.00	
For equipment	1,800.00	
For books	45,000.00	
Total		81,000.00

(3) DEPARTMENT OF COM-
MERCE:

For the salary of the Director.....	5,700.00	
For other salaries.....	54,900.00	
For other expenses	19,230.00	
For equipment purchases	1,170.00	
Total		81,000.00

(This appropriation to the Department of Commerce is in lieu of the indefinite appropriations provided by Section 42 of Title 55 and Sections 45 and 53 of Title 28 of the Code of Alabama (1940) and Act No. 159, H. 233 approved June 23, 1945 (General Acts of Alabama, 1945, page 200), and the amounts specified here are the maximum amounts to be expended for any objects indicated therein.)

(3½) DEPARTMENT OF INSUR-
ANCE:

For salaries and other expenses.....	41,565.00	
Total		41,565.00

(This appropriation for the Department of Insurance contemplates the creation of a new department by Act of 1949; if the new department is not established, the appropriation here made shall be subject to expenditure by the Department of Commerce.)

(4) DEPARTMENT OF EXAMIN-
ERS OF PUBLIC ACCOUNTS:

For the salary of the Chief Examiner	5,700.00	
For other salaries.....	281,300.00	
For other expenses.....	116,000.00	
For equipment purchases.....	2,000.00	
Total		405,000.00

(5) DEPARTMENT OF FINANCE:

Director's Office:		
Salary of the Director.....	6,000.00	
For other salaries.....	8,220.00	
For other expenses.....	2,200.00	
For equipment purchases.....	380.00	
Total		16,800.00

Division of the Budget:

For salaries.....	14,780.00	
For other expenses.....	1,120.00	
For equipment purchases.....	100.00	
Total		16,000.00

Division of Control and Accounts:

For salaries.....	75,000.00	
For other expenses.....	22,000.00	
For equipment purchases.....	3,000.00	
Total	100,000.00	

Division of Service:

For salaries.....	70,000.00	
For other expenses.....	75,000.00	
For equipment purchases.....	5,000.00	
Total		150,000.00

REGULAR SESSION

1915

For inventory control:		
Fiscal year 1949-50		25,000.00
Fiscal year 1950-51		12,500.00
Division of Purchases and Stores:		
For salaries	58,880.00	
For other expenses	7,620.00	
For equipment purchases	1,000.00	
Total		67,500.00
Division Legal:		
For salaries	8,580.00	
For other expenses	920.00	
Total		9,500.00
Division of Local Finance:		
For salaries	6,480.00	
For other expenses	270.00	
Total		6,750.00
(6) DEPARTMENT OF HEALTH:		
For the salary of the State Health Officer		7,500.00
General Health:		
For salaries	263,630.00	
For other expenses	56,310.00	
For equipment purchases	10,000.00	
Total		329,940.00
Contribution to Counties		285,660.00
Subsidy to Counties for tuberculosis		270,000.00
Study and treatment of cancer		76,500.00
Blood Testing for Syphilis:		
For salaries	70,000.00	
For other expenses	37,500.00	
For equipment purchases	5,000.00	
Total		112,500.00
Tuberculosis Testing:		
For salaries	22,500.00	
For other expenses	40,000.00	
For equipment purchases	5,000.00	
Total		67,500.00
Administration of Tuberculosis Hospitals:		
For salaries	16,000.00	

For other expenses.....	6,500.00	
Total		22,500.00
Hospital Planning:		
For salaries	9,000.00	
For other expenses.....	4,500.00	
Total		13,500.00
Pollution Control		20,000.00
Grand Total		1,205,600.00

The following additional appropriations are also made to the use of the State Health Department conditionally; that is, if the Department of State Docks and Terminals pays from its own funds the principal coming due on harbor improvement bonds, or any portion thereof, the amount so paid shall be applied $\frac{3}{5}$ to this appropriation and $\frac{2}{5}$ to the payment of the conditional appropriation herein made to the use of the Department of Public Welfare:

General Health:		
For salaries	20,000.00	
For other expenses.....	16,660.00	
Total		36,660.00
Contribution to counties.....		31,740.00
Subsidy to counties for tuberculosis.....		48,500.00
Study and treatment of cancer.....		26,600.00
Hospital Planning:		
For salaries	5,800.00	
For other expenses.....	200.00	
For equipment purchases.....	500.00	
Total		6,500.00
Grand Total		150,000.00

(7) DEPARTMENT OF INDUSTRIAL
RELATIONS:

For salaries	76,500.00	
For other expenses.....	28,000.00	
For equipment purchases.....	800.00	
Total		105,300.00

REGULAR SESSION

1917

(8) DEPARTMENT OF REVENUE:

For transfer to Administrative Division	9,200.00	
For expense incident to equalization boards	75,000.00	
For collection of estate and inheritance tax:		
for salaries	2,880.00	
for other expenses	120.00	
Total		87,200.00

(9) MILITARY DEPARTMENT:

For the salary of the Adjutant General	5,700.00	
For other salaries	50,000.00	
For other expenses	15,000.00	
For equipment purchases	1,000.00	
For quarterly allowances	100,000.00	
For care and maintenance of armories	40,000.00	
For active military service	70,000.00	
Total		281,700.00

(10) PERSONNEL DEPARTMENT:

For the salary of the Director	5,000.00	
For other salaries	41,000.00	
For other expenses	11,000.00	
For equipment purchases	500.00	
Total		57,000.00

(11) STATE BOARD OF ADJUSTMENT:

For salaries	3,600.00	
For other expenses	375.00	
For awards by the Board (estimated)	20,000.00	
Total		23,975.00

(12) ALABAMA STATE PLANNING BOARD:

For the salary of the Director	5,000.00	
For other salaries	50,000.00	
For other expenses	10,000.00	
For out-of-state advertising	10,000.00	
For equipment purchases	4,000.00	
Total		79,000.00

(13) STATE TOXICOLOGIST:

For salaries	30,000.00
For other expenses	4,500.00
For equipment purchases	500.00

Total	35,000.00
-------------	-----------

(14) STATE LABOR DEPARTMENT:

For the salary of the Director	5,000.00
For other salaries and other expenses	5,000.00

Total	10,000.00
-------------	-----------

(15) LEGISLATIVE REFERENCE SERVICE:

For salaries	31,000.00
For other expenses	3,250.00
For equipment purchases	750.00

Total	35,000.00
-------------	-----------

For LEGISLATIVE COUNCIL	2,500.00
-------------------------------	----------

(16) DEPARTMENT OF VETERANS' AFFAIRS:

For salaries	239,000.00
For other expenses	27,000.00
For equipment purchases	2,000.00

For contracts:

D. A. V.'s	6,000.00
American Legion	25,000.00
Spanish War Veterans	1,000.00
V. F. W.	25,000.00

57,000.00

Grand Total	325,000.00
-------------------	------------

EMPLOYEES RETIREMENT SYSTEM,
for the fiscal year ending September
30, 1950

381,142.00

EMPLOYEES RETIREMENT SYSTEM,
for the fiscal year ending September
30, 1951

418,227.00

(17½) EMPLOYEES SPECIAL PENSION
FUND

20,000.00

(18) STATE SECURITIES COMMISSION (As provided in 1943 Act,
No. 498):

For salaries	5,220.00
--------------------	----------

For other expenses.....	780.00	
Total		6,000.00
VI. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES:		
(1) DEPARTMENT OF CONSERVA- TION:		
Division of State Parks, Monuments and Historical Sites:		
For salaries and other expenses inci- dent to the operation and mainte- nance of State Parks and the Divi- sion of State Parks, Monuments and Historical Sites.....		
	30,000.00	
Division of State Lands:		
For salaries and other expenses inci- dent to the operation of the Division of State Lands; and for the admin- istration of the Department of Con- servation		
	25,000.00	
Total		55,000.00
(The above appropriations to the Department of Conservation are in addition to other appropria- tions herein provided.)		
(2) GEOLOGICAL SURVEY:		
For the salary of the State Geologist..	5,700.00	
For other salaries.....	38,800.00	
For other expenses.....	34,700.00	
For equipment purchases.....	450.00	
For matching Federal funds for the investigation of the water resources of the State	11,250.00	
Total		90,900.00
(This appropriation to the Geological Survey is in lieu of the indefinite appropriation provided by Section 248 of Title 55 of the Code of Alabama (1940), and the amount specified here is the maximum amount to be expended for any ob- jects indicated therein.)		
(3) STATE SOIL CONSERVATION COMMITTEE:		
For administration and other ex- penses incident to organization of soil conservation districts.....		
	12,500.00	
Total		12,500.00

VII. EDUCATION:

(1) INTEREST ON ENDOWMENTS:

For interest on Alabama College endowment, (Estimated)	39,019.78
For interest on Alabama Polytechnic Institute endowment	20,280.00
For interest on University of Alabama endow- ment	61,000.00
For interest on Grove Hill endowment.....	600.00
For interest on Public School Fund Endowments:	
Interest on 16th Section Lands— (Estimated)	158,495.81
Interest on School Indemnity Lands— (Estimated)	25,000.00
Interest on Valueless 16th Section Lands	5,825.47
Interest on Surplus Revenue.....	26,763.47
Interest on James Wallace Fund.....	275.25
Total estimated	216,360.00

(2) Alabama Special Educational Trust Fund..... 1,750,000.00

VIII. CHARITIES, HOSPITALS, AND CORRECTIONS:

(1) For the administration, operation and main-
tenance of the convict system and for the pay-
ment of criminal court costs (This appropria-
tion is in addition to other appropriations here-
in provided) 150,000.00

(2) DEPARTMENT OF PUBLIC WELFARE:

For salaries and expenses, for juve- nile wards, for public welfare, for old age assistance, and for social security	617,985.00
For additional old age assistance.....	675,415.80
For the Department of Public Welfare	2,160,000.00
For the sixty-seven counties of the State to be used for public welfare in cooperation with the State De- partment of Public Welfare or the Federal Government	1,440,000.00
(One-half of the above appropriations to the coun- ties shall be distributed proportionately among the sixty-seven counties of the State according to the population of said counties as shown by	

the last Federal census; and one-half of the appropriation shall be divided and distributed equally among the sixty-seven counties of the State.)

Total 4,893,400.80

The following additional appropriations are also made to the Department of Public Welfare conditionally; that is, if the Department of State Docks and Terminals pays from its own funds the principal coming due on harbor improvement bonds, or any portion thereof, the amount so paid shall be applied $\frac{2}{5}$ to this appropriation and $\frac{3}{5}$ to the payment of the conditional appropriation herein made to the use of the State Health Department:

For the Department of Public Welfare 50,000.00

For the sixty-seven counties of the State to be used for public welfare in cooperation with the State Department of Public Welfare or the Federal Government 50,000.00

One-half of the above appropriations to the counties shall be distributed proportionately among the sixty-seven counties of the State according to the population of said counties as shown by the last Federal census; and one-half of the appropriation shall be divided and distributed equally among the sixty-seven counties of the State.)

Total 100,000.00

(The above appropriations for the Department of Public Welfare are in addition to other appropriations herein set out.)

(3) ALABAMA BOYS INDUSTRIAL SCHOOL:

For the maintenance, support, insurance and upkeep of the Alabama Boys Industrial School, an amount to be drawn quarterly in advance by the treasurer of the Alabama Boys Industrial School, and to be distributed as directed by the Board of Trustees 148,500.00

(Any balance from the above appropriation to the Alabama Boys Industrial School at the end of any

fiscal year shall remain in the hands of the treasurer of said institution and shall not revert to the State Treasury.)

(4) ALABAMA INDUSTRIAL SCHOOL FOR NEGROES:

For maintenance, support, insurance and upkeep of the Alabama Industrial School for Negroes, an annual amount to be drawn quarterly in advance by the treasurer of the Alabama Industrial School for Negroes and to be disbursed as directed by the Board of Trustees.....

75,000.00

(Any balance from the above appropriations to the Alabama Industrial School for Negroes at the end of any fiscal year shall remain in the hands of the treasurer of said institution and shall not revert to the State Treasury.)

(5) ALABAMA INSANE HOSPITALS:

For the support, maintenance, and repair of Alabama Insane Hospitals, an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$9.00 per week for each patient, estimated for the fiscal year ending September 30, 1950

2,934,360.00

For the fiscal year ending September 30, 1951.....

3,027,960.00

(6) PARTLOW STATE SCHOOL FOR MENTAL DEFICIENTS:

For the support, maintenance and repair of the Partlow State School for Mental Deficients, an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$9.00 per week for each patient, estimated

For the fiscal year ending September 30, 1950.....

607,500.00

For the fiscal year ending September 30, 1951.....

667,125.00

(The above appropriations to the Alabama Insane Hospitals and the Partlow State School for Mental Deficients shall be payable and are to be disbursed as provided in Title 45, Sections 189 to 230 inclusive, of the Code of Alabama (1940) and shall continue and the unexpended balances thereof shall not revert to the State Treasury at the end of any fiscal year.)

(7) STATE TRAINING SCHOOL FOR GIRLS:

For the maintenance, support, insurance and upkeep of the State Training School for Girls, an amount to be drawn quarterly in advance by the treasurer of the Board of the State Training School for Girls and to be disbursed as directed

REGULAR SESSION

1923

by said Board.....	80,000.00
(The appropriation herein made to the State Training School for Girls shall be payable and is to be disbursed as provided in Title 45, Sections 231 to 252, inclusive, of the Code of Alabama (1940) and shall continue and the unexpended balance thereof shall not revert to the State Treasury at the end of any fiscal year.)	
(8) REMOVAL OF PRISONERS:	
For expenses incident to removal of prisoners (estimated)	9,000.00
(9) FEEDING OF PRISONERS:	
For expenses of feeding prisoners in county jails (estimated)	325,000.00
(10) ARREST OF ABSCONDING FELONS:	
For expenses incident to the arrest of absconding felons	900.00
(11) BOARD OF PARDONS AND PAROLES:	
For salaries of board members.....	15,000.00
For other salaries.....	143,000.00
For other expenses.....	30,000.00
For equipment purchases.....	2,000.00
Total	190,000.00

IX. DEBT SERVICE:

(1) For interest on Class A. Renewal and Class C. Renewal and Funding Renewal Bonds, for the fiscal year ending September 30, 1950.....	329,505.00
For the fiscal year ending September 30, 1951.....	319,290.00
(2) For principal on outstanding Harbor Improvement Bonds	250,000.00
(3) For interest on outstanding Harbor Improvement Bonds for the fiscal year ending September 30, 1950.....	277,218.75
(4) For interest on outstanding Harbor Improvement Bonds for the fiscal year ending September 30, 1951	266,531.25
(5) For interest on Spanish American War Veterans Fund (estimated).....	294.86

X. MISCELLANEOUS

(1) For Bang's Disease Control as provided for under Act 410, General Acts of 1947, page 298	
For salaries	30,000.00

For other expenses.....	60,000.00	
Total		90,000.00
(2) Automatic Appeal Expense as provided in 1943 Acts, page 217 (estimated)		5,400.00
(3) For Spanish War Veterans encampment and administration		2,000.00
(4) For advertising lands for tax sale		2,400.00
(5) For civil court costs in connection with ad valorem tax assessment appeals		450.00
(6) For mailing tax notices (estimated)		5,000.00
(7) For registration of voters (estimated)		
For the fiscal year ending September 30, 1950		75,000.00
For the fiscal year ending September 30, 1951		130,000.00
(8) For expense Governor's Proclamations (estimated)		15,000.00
(9) For distribution of public documents (estimated)		1,000.00
(10) First White House of the Confederacy		
For salaries and other expenses	2,500.00	
For additions and betterments	1,000.00	
Total		3,500.00
(11) Temporary Clerk Fund		5,000.00
(Maximum expenditure pursuant to Section 175, Title 55, Code of Alabama (1940)		
(12) Rental of State offices		40,000.00
(Maximum expenditure pursuant to H. B. 185, 1949, Legislature.)		
(13) Purchase Code Pocket Supplement for the fiscal year ending September 30, 1950		20,000.00
(14) For payment of attorneys' fees in indigent capital cases (as provided in 1947 Acts, page 61)		22,500.00
(15) For printing of State and county privilege licenses		7,500.00
(16) Capitol Building Commission:		
To provide for the expenditures authorized by Section 365 to 367, inclusive, Title 55, Code of Alabama (1940)		100,000.00
(17) Cahaba Memorial Board:		
To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449		500.00
(18) Gorgas Memorial Board:		
To provide for the expenditures authorized by Act No. 417, 1943 Acts, page 383		2,500.00
(19) LaGrange Historical Board:		
To provide for the expenditures authorized by Act No. 551, 1943 Acts, page 540		500.00

(20) Richmond Pearson Hobson Memorial Board:

To provide for the expenditure authorized by Act No. 536, 1943 Acts, page 510..... 2,500.00

(21) Alabama Commission on Interstate Cooperation 1,000.00

(22) Hog Cholera Serum Fund..... 50,000.00

FROM FUNDS OTHER THAN GENERAL FUNDS

XI. AERONAUTICS DEPARTMENT:

For the salary of the Director..... 5,700.00

For other salaries..... 41,700.00

For other expenses..... 14,660.00

For equipment purchases..... 1,000.00

Total 63,060.00

(This appropriation shall be paid out of the receipts of the Airports Development Fund provided by Act No. 402, S. B. 217, approved July 9, 1945, and all the residue of said fund is hereby appropriated for matching federal funds for aid to airports and airmarking.)

XII. AGRICULTURE AND INDUSTRIES:

A. ADMINISTRATIVE OPERATIONS:

For salary of the Commissioner..... 5,400.00

For other salaries..... 377,500.00

For other expenses..... 187,400.00

For office equipment..... 10,000.00

For other equipment..... 13,000.00

For additions and betterments..... 1,600.00

For the Alabama State Fair Association 100,000.00

For the livestock coliseum..... 100,000.00

Total 794,900.00

(The above appropriation is payable from the Agricultural Fund and is in lieu of the indefinite appropriations provided by Sections 31, 33, 34, 35, and 36 of Title 2 of the Code of Alabama (1940), and the amount specified here is the maximum amount to be expended for any objects indicated therein.)

B. TRANSFER OF FUNDS FROM AGRICULTURAL FUND:

1. Transfer to the Hog Cholera Serum Fund 50,000.00

2. Transfer to the Agricultural Center Board Fund.....	55,000.00	
3. Transfer to State Markets Board.....	15,000.00	
4. Transfer to White-Fringe Beetle Account	30,000.00	
Total		150,000.00
The above appropriations to be allocated and expended pursuant to the limitations herein authorized in C and D.		

C. HOG CHOLERA SERUM FUND:

For salaries and other expenses.....	50,000.00	
Total		50,000.00

The above appropriation from the Agricultural Fund shall be expended for the purposes proposed provided in Act No. 370, 1947 Acts, page 257.

D. AGRICULTURAL CENTER BOARD:

For salaries	14,500.00	
For other expenses.....	5,100.00	
For equipment purchases.....	400.00	
For awarding of prizes for livestock shows; provided, the Agricultural Center Board shall not use any of the appropriation for awarding prizes or premiums except at shows sponsored by it and then only to match an equal amount provided for that purpose by subscriptions of private persons, firms or corporations	35,000.00	
Total		55,000.00

E. STATE MARKETS BOARD:

For salaries	8,000.00	
For other expenses.....	7,000.00	
Total		15,000.00

(The appropriations hereinabove set out in C, D, and E shall be the maximum amounts expended thereunder and all expenditures under these appropriations shall conform to the provisions of Article 3, Chapter 4, Title 55 of the Code of Alabama (1940).)

F. For salaries and other expenses for White-Fringe Beetle control..... 30,000.00

G. For the payment of expenses and salaries incident to the operation of shipping point inspection of the Department of Agriculture and Industries there is hereby appropriated all fees and charges collected by the Commissioner of Agriculture and Industries under the provisions of Title 2, Chapter 1, Article 25, Code of Alabama (1940), pursuant to an agreement with the United States Department of Agriculture whereby cooperative Federal-State shipping point and terminal market inspection services for the grading and classification of agricultural commodities are performed, and the expenditures hereunder shall conform to the provisions of Article 3, Chapter 4, Title 55, Code of Alabama (1940), as amended.

XIII. ALABAMA REAL ESTATE

COMMISSION:

For salaries	11,000.00
For other expenses.....	9,700.00
For equipment purchases.....	300.00

Total	21,000.00
-------------	-----------

(The above appropriation shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Section 300, of the Code of Alabama (1940). This appropriation to the Alabama Real Estate Commission is in lieu of the indefinite appropriation provided by Section 300 of Title 46 of the Code of Alabama (1940) and the amount specified here is the maximum amount to be expended for any objects indicated therein.

XIV. ALABAMA PUBLIC SERVICE COMMISSION:

For salary of the President and two associate commissioners	21,300.00
For other salaries.....	81,800.00
For other expenses.....	40,600.00
For equipment purchases	6,300.00

Total	150,000.00
-------------	------------

(The above appropriation to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or

percentage of fees and taxes paid by motor carriers or motor transportation companies as are now or may be set aside by law to be used by the Commission; but if said fees and taxes do not equal the total amount of \$150,000.00 there shall not be paid out of the General Fund of the State any amount, but the appropriation for all said salaries and expenses of the Commission and its employees in such event shall be limited to the total amount of all said fees and taxes assigned to the Commissioner's said appropriation. In consideration of the fact that inspection and supervision fees of utilities and transportation companies, constituting the greater part of the funds made available for the salaries and expenses of the Commission and its employees, are payable on the calendar year basis and are payable February first of each year, the State Treasurer shall hold in the State Treasury at the end of each fiscal year on September 30th as much as \$50,000.00 of such part of said sum of \$50,000.00 out of such fees and taxes assigned to this appropriation for the Commission, as may then be on hand, and the same shall be paid out by the State Treasurer as provided by law for all such salaries and expenses of the Commission and its employees during the months of October, November, December, and January. Upon the close of business at the end of each fiscal year of the State, if the balance of the amount of such fees and taxes assigned to provide such appropriation for the Commission, then on hand in the State Treasury, exceeds said sum of \$50,000.00 such excess shall then be covered into the State Treasury to the credit of the General Fund.

XV. DEPARTMENT OF CONSERVATION:

- (1) To the use of the Division of Game, Fish, and Seafoods, out of the Game, Fish, and Seafoods Fund;

For salaries and other expenses incident to the operation of the division and for the use provided in Act No. 230, approved July 9, 1945	560,000.00
For oyster and shrimp protection	80,000.00
For dredging a canal between Oyster Bay and the Lagoon, in Baldwin County	20,000.00

Total	660,000.00
(This appropriation to the Division of Game, Fish, and Seafoods of the Department of Conservation is in lieu of the indefinite appropriation provided by Act No. 230, H. 91, approved July 9, 1945 (General Acts of Alabama, 1945, page 352), and the amount specified here is the maximum amount to be expended for any objects indicated therein.)	
(2) To the use of the Division of State Parks, Monuments, and Historical Sites, out of the State Parks Fund, for salaries and other expenses incident to the operation and maintenance of State parks, monuments, and historical sites	100,000.00
(This appropriation to the Division of State Parks, Monuments and Historical Sites of the Department of Conservation is in addition to the general fund appropriation of \$30,000.00 and in lieu of the indefinite appropriation provided by Section 183 of Title 8 of the Code of Alabama (1940), and the amount specified here is the maximum amount to be expended from the parks fund for any objects mentioned in said Section 183.)	
(3) To the use of the Division of Forestry, out of the Forestry Fund, for salaries and other expenses, and for administration of the Department of Conservation	1,250,000.00
(This appropriation to the Division of Forestry of the Department of Conservation is in lieu of the indefinite appropriation provided by Section 202 of Title 8 of the Code of Alabama (1940), as amended, and the amount specified here is the maximum amount to be expended for any objects indicated therein.)	
(4) To the use of the Division of State Lands, out of the State Lands Fund, for salaries and other expenses	5,000.00
(This appropriation to the Division of State Lands of the Department of Conservation is in lieu of the indefinite appropriation provided by Act No. 341, H. 26, approved July 9, 1945 (General Acts of Alabama, 1945, page 554), and the amount specified here is in addition to the general fund appropriation of \$25,000.00 herein made.)	

XVI. DEPARTMENT OF PUBLIC WELFARE:

For the State Department of Public Welfare for old age assistance purposes, out of the proceeds from the levy of the one

mill tax for the relief of needy Confederate veterans and their wives, all the surplus or residue thereof after the payment in full of the pensions to Confederate veterans and their wives and other charges against said fund set out in Title 49, Section 50 of the Code of Alabama (1940). In making this appropriation it is hereby declared to be the legislative policy that the Department of Public Welfare expend all the surplus or residue hereby appropriated and all moneys received by it from the Federal government for matching any or all funds expended for Confederate pensions or for matching the surplus or residue hereby appropriated, for old age assistance purposes exclusively, insofar as is possible under existing laws and the rules and regulations of the Federal government and of the Department of Public Welfare in regard thereto, before any part thereof may be expended for any other purposes by the Department of Public Welfare. This section shall not repeal or affect the provisions of Act No. 253 of the Regular Session of the Legislature of 1949.

XVII. DEPARTMENT OF CORRECTIONS AND INSTITUTIONS:

For the salary of the Director of Corrections and Institutions, for other salaries, and for other expenses incident to the operation and maintenance of the convict system of Alabama, all receipts from its administration and from labor of the convicts; and, in addition thereto, such sum from the general fund appropriation herein made as may be needed for the proper administration, operation, and maintenance of the convict system.

XVIII. HIGHWAYS AND BRIDGES:

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay same; and for the compensation of the State Highway Director, for maintenance and construction of roads and bridges, for salaries, and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the highway Department by virtue of Federal aid.

XIX. PENSIONS:

(1) For Confederate veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows as now provided by law, out of the proceeds from the levy of the one mill tax for the relief of needy Confederate soldiers and sailors and their widows, and in the event the proceeds from said levy are insufficient to pay same, such additional amount as may be necessary for the payment thereof.

(2) To the use of the Pension Commission: For salaries, \$3,-300.00, for other expenses, \$580.00, total, \$3,880.00; payable out

of the proceeds from the levy of the one-mill tax for the relief of needy Confederate veterans and their widows.

XX. PUBLIC SCHOOL FUND:

For the Public School Fund, the amount appropriated from the Special Educational Trust Fund, together with all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258, and 260 of the Constitution of 1901; provided, that not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

XXI. ALABAMA MILK CONTROL BOARD:

For salaries	25,000.00	
For other expenses.....	14,500.00	
For equipment purchases.....	500.00	
	<hr/>	
Total		40,000.00

(The appropriation herein made shall be paid out of the funds in the Alabama Milk Control Board Fund; and the appropriation made here is in lieu of the indefinite appropriation made by Section 221 of Title 22 of the Code of Alabama (1940), and the amount specified here is the maximum amount to be expended for any object indicated therein.)

XXII. DEPARTMENT OF PUBLIC SAFETY:

(1) HIGHWAY PATROL DIVISION:

For the salary of the Director of Public Safety	5,700.00	
For other salaries.....	588,800.00	
For other expenses.....	227,650.00	
For equipment purchases.....	100,500.00	
	<hr/>	
Total		922,650.00

(2) DRIVERS LICENSE DIVISION:

For salaries	96,800.00	
For other expenses.....	42,700.00	
For equipment purchases.....	250.00	
	<hr/>	
Total		139,750.00

(3) RADIO DIVISION:

For salaries	115,000.00	
For other expenses.....	35,000.00	

For equipment purchases.....	10,000.00	
Total		160,000.00
Grand Total		1,222,400.00

(The appropriations herein made shall be paid out of the funds in the Highway Patrol Fund as authorized by Article 1, Title 36 of the Code of Alabama (1940) and all of the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, of Title 55 of the Code of Alabama (1940) and shall be limited in expenditure to the amounts hereinabove set out.)

XXIII. ALCOHOLIC BEVERAGE CONTROL:

(1) Law Enforcement:		
For salaries	215,000.00	
For other expenses.....	100,000.00	
For equipment purchases.....	15,000.00	
Total		330,000.00

(The above appropriations shall be paid out of the Alcoholic Beverage Control Stores Fund and all expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, Title 55 of the Code of Alabama (1940) and the appropriations hereinabove made shall be considered the maximum amount to be expended therefrom. The expenditure under this appropriation shall be limited to the enforcement of the Alcoholic Beverage Control laws and the rules and regulations of the Alcoholic Beverage Control Board and for no other purpose.)

(2) For the Alabama Alcoholic Beverage Control Board: For the salaries of ABC Board members, other salaries and other expenses, exclusive of the expense of acquiring goods for resale, incidental to the operation of the Alabama Beverage Control System, out of the receipts of the ABC Stores, such sums as may be necessary, not to exceed four percent of the gross receipts of the business in any fiscal year.

XXIV. DEPARTMENT OF REVENUE

For the Administrative Account of the Department of Revenue there is hereby transferred from the Gen-

eral Fund and appropriated as provided in Item V (9) of this Appropriation Bill	9,200.00	
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Sales Tax Fund as part of the cost of collection as provided in Section 784, Title 51, Code of Alabama (1940)	69,920.00	
There is hereby appropriated for transfer to Revenue Department, Account, from the Income Tax Fund as part of the cost of collection as provided by Constitutional Amendment No. LXI	27,600.00	
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Tobacco Tax Fund as part of the cost of collection as provided in Section 739, of Title 51, Code of Alabama (1940)	16,520.00	
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Gasoline Tax Fund, as part of the cost of collection as provided by Section 647, Title 51, Code of Alabama (1940)	60,720.00	
Total		183,960.00
The monies herein appropriated shall be expended only as follows:		
(1) DEPARTMENT OF REVENUE—ADMINISTRATIVE ACCOUNT:		
For the salary of the Commissioner	5,700.00	
For other salaries	150,000.00	
For other expenses	26,260.00	
For equipment purchases	2,000.00	
Total		183,960.00
(2) DEPARTMENT OF REVENUE—AUTO LICENSE DIVISION:		
For salaries	42,300.00	

For other expenses.....	211,500.00
For equipment purchases.....	900.00

Total 254,700.00

(This appropriation shall be paid out of the Auto License Fund and is in lieu of the indefinite appropriation provided in Section 713, Title 51, Code of Alabama (1940), and the amount specified here is the maximum amount to be expended from said fund for the collection of auto license taxes.)

(3) DEPARTMENT OF REVENUE—

AVIATION GASOLINE DIVISION:

For salaries	3,600.00
For other expenses.....	125.00

Total 3,725.00

(This appropriation shall be paid out of the Airport Development Fund and is in lieu of the indefinite appropriation provided by Section 647, Title 51, Code of Alabama (1940), as amended, and the amount specified here is the maximum amount to be expended out of said fund for the collection of taxes on aviation gasoline.)

(4) DEPARTMENT OF REVENUE—
FINANCIAL INSTITUTIONS

EXCISE TAX DIVISION:

For salaries	8,400.00
For other expenses.....	475.00
For equipment purchases.....	550.00

Total 9,425.00

(This appropriation shall be paid out of the Financial Institutions Excise Tax Fund and is in lieu of the indefinite appropriation provided by Section 429, Title 51, Code of Alabama (1940), and the amount specified here is the maximum amount to be expended out of said fund for the collection of the financial institutions excise tax.)

(5) DEPARTMENT OF REVENUE—

GASOLINE TAX DIVISION:

For salaries	130,000.00
For other expenses.....	37,000.00
For equipment purchases.....	3,000.00

Total 170,000.00

(This appropriation shall be paid out of the Public Road and Bridge Fund and is in lieu of the indefinite appropriations provided by Sections 647 and 655, Title 51, Code of Alabama (1940) and Act No. 590, approved June 27, 1940, and the amount specified here is the maximum amount to be expended from said fund for the collection of taxes on gasoline and motor fuels.)

(6) DEPARTMENT OF REVENUE—

INCOME TAX DIVISION:

For salaries	108,000.00	
For other expenses	38,000.00	
For equipment purchases	2,500.00	
Total		148,500.00

(This appropriation shall be paid out of the Income Tax Fund and is in lieu of the indefinite appropriation provided by Section 424, Title 51, Code of Alabama (1940), and, except for the transfer herein made to the administrative account, the amount specified here is the maximum to be expended from said fund for the collection of income taxes.)

(7) DEPARTMENT OF REVENUE—

MOTOR CARRIER DIVISION:

For salaries	37,800.00	
For other expenses	18,000.00	
For equipment purchases	1,000.00	
Total		56,800.00

(This appropriation shall be paid out of the Motor Carrier Fund and is in lieu of the indefinite appropriation provided by Section 19 of Act No. 664, approved July 5, 1940, and the amount specified here is the maximum amount to be expended from said fund for the collection of the mileage tax.)

(8) DEPARTMENT OF REVENUE—

SALES TAX DIVISION:

For salaries	450,000.00	
For salaries for extra clerical help in audit of wholesale firms	45,000.00	
For other expenses	189,000.00	
For equipment purchases	5,000.00	
Total		689,000.00

(These appropriations shall be paid out of the Sales Tax Fund and are in lieu of the indefinite appropriation provided by Section 784, Title 51, Code of Alabama (1940), and, except for the transfers herein made to the administrative account, the amounts specified here are the maximum amounts to be expended from said fund for the collection of sales taxes.)

(9) DEPARTMENT OF REVENUE—

SPECIAL STATE FORESTRY
DIVISION:

For salaries	13,800.00
For other expenses	9,650.00
For equipment purchases	300.00

Total 23,750.00

(This appropriation shall be paid out of the Special State Forestry Fund and is in lieu of the appropriation provided by Section 5 of Act No. 169, approved June 23, 1945, and the amount specified here is the maximum amount to be expended from said fund for the collection of the forest products severance tax.)

(10) DEPARTMENT OF REVENUE—

STORE LICENSE DIVISION:

For salaries	15,000.00
For other expenses	7,000.00

Total 22,000.00

(This appropriation shall be paid out of the Alabama Special Educational Trust Fund—Store License Fund and is in lieu of the indefinite appropriation provided by Section 629, Title 51, Code of Alabama (1940), and the amount specified here is the maximum amount to be expended from said fund for the collection of store license taxes.)

(11) DEPARTMENT OF REVENUE—

TOBACCO TAX DIVISION:

For salaries	40,000.00
For other expenses	74,500.00
For equipment purchases	500.00

Total 115,000.00

(This appropriation shall be paid out of the Alabama Special Educational Trust Fund-Tobacco

Tax and is in lieu of the indefinite appropriation provided by Section 739, Title 51, Code of Alabama (1940), and, except for the transfer herein made to the administrative account, the amount specified here is the maximum amount to be expended from said fund for the collection of the tobacco tax.)

(12) DEPARTMENT OF REVENUE—

USE TAX DIVISION:

For salaries	31,500.00	
For other expenses.....	13,500.00	
For equipment purchases.....	300.00	
Total		45,300.00

(This appropriation shall be paid out of the Alabama Special Educational Trust Fund-Use Tax and is in lieu of the indefinite appropriation provided by Section 808, Title 51, Code of Alabama (1940), and the amount specified here is the maximum amount to be expended from said fund for the collection of the use tax.)

Grand Total for Revenue Department..... 1,722,160.00

Section 2. Any surplus remaining in any appropriation herein made from the general fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the general fund for the payment of all salaries in any office, department, bureau, board, commission or other agency when the appropriation herein made from the general fund for the payment of salaries in that office, department, bureau, board, commission or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission or other agency according to the pay plan recommended by the personnel board, and approved by the Governor.

Section 3. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. The amounts herein appropriated shall be considered as the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for in any items of expense exceed the amount allocated herein except for those appropriations designated as "estimated;" and any fees, receipts, income, or moneys collected or received by any department, board, bureau, commission, office or institu-

tion as a result of the sale or disposition of any personal property in use by any department, board, bureau, commission, office, or institution are not appropriated for additional expenditure.

Section 4. Nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school, or other institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts, or income therefrom, which it is now or may hereafter be authorized to receive, collect or disburse.

Section 5. The appropriations herein made, except appropriations to eleemosynary institutions, are and shall be subject to the terms, conditions, provisions, and limitations of the Budget and Financial Control Act.

Section 6. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, the holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 7. All laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act are hereby expressly repealed.

Section 8. This Act shall become effective October 1, 1949.

At 4:45 P. M., Mr. Patton moved that the Senate adjourn until Friday, August 19, 1949 at 9 o'clock A. M., which motion was lost.

Yeas 11; Nays 21.

Yeas:

Messrs.:	Fite	Howle	Lamberth
Barrett	Gaither	Hughes	Patton
Bridges	Golson	Kimbrell	Perry

—11

Nays:

Messrs.:	Coleman	Kendall	Quarles
Allen	Glover	Lowe	Russell
Boutwell	Gulledge	Mize	Summerlin
Burnside	Hardwick	Owens	Swift
Cater	Henderson	Patterson	Wright
Clayton	Hooton		

—21

Mr. Hooton moved to lay on the table the substitute offered by Mr. Allen to the bill, H. B. 52, and the motion to table was lost.

Yeas 12; Nays 18.

Yeas:

Messrs.:	Harvey	Kimbrell	Patterson
Barrett	Hooton	Lamberth	Perry
Fite	Howle	Mize	Summerlin
Hardwick			

—12

Nays:

Messrs.:	Clayton	Hughes	Quarles
Allen	Coleman	Kendall	Russell
Boutwell	Golson	Langan	Swift
Bridges	Gulledge	Lowe	Wright
Cater	Henderson	Owens	

—18

PAIR ANNOUNCED

Mr. Patton announced that he was paired with Mr. Burnside on this vote; that Mr. Burnside, if present, would vote "Aye", and he, Mr. Patton, would vote "Nay."

And the substitute offered by Mr. Allen for the Bill, H. B. 52, was then adopted.

Yeas 30; Nays 1.

Yeas:

Messrs.:	Coleman	Hooton	Mize
Allen	Fite	Howle	Owens
Barrett	Gaither	Hughes	Perry
Boutwell	Golson	Kendall	Russell
Bridges	Gulledge	Kimbrell	Summerlin
Burnside	Hardwick	Lamberth	Swift
Cater	Harvey	Langan	Wright
Clayton	Henderson	Lowe	

—30

Nay: Mr. Patterson.

—1

ADJOURNMENT

At 6:05 P. M. on motion of Mr. Coleman and in accordance with Joint Resolution heretofore adopted and pending further consideration of H. B. 52, the Senate adjourned until Friday August 19, 1949, at 9 A. M.

Yeas 22; Nays 5.

Yeas:

Messrs.:	Coleman	Henderson	Lamberth
Allen	Fite	Hooton	Langan
Barrett	Gaither	Howle	Lowe
Bridges	Golson	Hughes	Perry
Cater	Hardwick	Kendall	Quarles
Clayton	Harvey	Kimbrell	

—22

Nays:

Messrs.:	Gulledge	Patterson	Russell
Boutwell	Mize		

—5

THIRTY-SECOND LEGISLATIVE DAY

FRIDAY, AUGUST 19, 1949

The Senate met pursuant to adjournment, Lieutenant Governor Inzer presiding.

PRAYER

The session was opened with prayer by Rev. Richard L. Scoggins, Pastor, Oak Park Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright
Coleman	Hooton		

—33

JOURNAL

Mr. Summerlin moved that the reading at length of the Journal of yesterday be dispensed with and on objection of Mr. Fite, the Secretary began the reading of the Journal of yesterday at length.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bill with the engrossed and original bill, respectively, and finds same correctly enrolled, to-wit:

S. 431. To amend Sections 1 and 3 of Act No. 523, Senate Bill 315, approved September 30, 1947, entitled, "An Act To create and establish a Water Improvement Advisory Commission; to define the duties, jurisdiction, and powers of such commission; to provide for its personnel, and the term of office and method for appointment of same; to provide for regular and special meetings of said Commission; to appropriate the sum of Fifty Thousand and No/100 (50,000.00) Dollars annually for each of the fiscal years 1948 and 1949, for the purpose of carrying out the provisions of this Act; and for other purposes."

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Boutwell (by request):

S. B. 647. To alter and rearrange the corporate limits of the City of Birmingham so as to include therein parts of the territory located in Sections 11 and 12 of Township 17, Range 3, West, in Jefferson County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL ACT

Notice is hereby given of intention to apply at the present regular or any succeeding session of the Legislature of Alabama for the passage of a local act to provide for the alteration and rearrangement of the corporate limits of the City of Birmingham so as to include therein all or any part of the territory located in Sections 11 and 12 of Township 17, Range 3, West, in Jefferson County.

The Call—July 23-30; Aug. 6-13, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Personally appeared before me, the undersigned authority, Mrs. J. Paul Ward, who first being duly sworn by me, deposes and says on oath that she is the Editor & Manager for The Weekly Call, a weekly newspaper published in said State and County, and that the notice, a true copy of which is hereto attached, was published in The Weekly Call, once a week for 4 consecutive weeks, commencing on the 23rd day of July, 1949.

MRS. J. PAUL WARD.

Subscribed and sworn to before me on this the 16th day of August, 1949.

MOLLIE DAFFIN,
Notary Public.

By Messrs. Russell and Boutwell:

S. B. 648. To make an additional appropriation to the Supreme Court of Alabama for each of the fiscal years 1949-50 and 1950-51.

Committee on Finance and Taxation.

By Messrs. Russell and Boutwell:

S. B. 649. To make an additional appropriation to the Court of Appeals of Alabama for each of the fiscal years 1949-50 and 1950-51.

Committee on Finance and Taxation.

By Messrs. Russell and Boutwell:

S. B. 650. To make an additional appropriation to the Office of the Attorney General of Alabama for each of the fiscal years 1949-50 and 1950-51.

Committee on Finance and Taxation.

By Messrs. Russell and Boutwell:

S. B. 651. To make an additional appropriation to the Department of Health of Alabama for each of the fiscal years 1949-50 and 1950-51.

Committee on Finance and Taxation.

By Mr. Harvey:

S. B. 652. Creating the office of County Engineer for Winston County, Alabama; prescribing his qualifications, term of office and salary.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR PASSAGE OF LOCAL BILL
TO WHOM IT MAY CONCERN:

In pursuance of the requirements of Section 106 of the Constitution of 1901, notice is hereby given that application will be made to the Legislature of Alabama, during the 1949 regular session hereof, which convened on the first Tuesday in May, 1949, for enactment of a local law in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Creating the office of County Engineer for Winston County, Alabama; prescribing his qualifications, term of office and salary.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created in Winston County the office of County Engineer.

Section 2. The Engineer shall be appointed by the Winston County Highway Board and shall serve for a term of four years. He shall possess such qualifications as are prescribed by the Alabama State Highway Department and must be a registered Engineer with the State of Alabama.

Section 3. The County Engineer may be removed from office for any cause enumerated in Section 178 of Title 41 of the 1940 Code of Alabama. Procedure for such removal is to be used as is provided in Article 2 of Chapter 5 of the 1940 Code of Alabama relating to County officers.

Section 4. The County Engineer shall have such powers as may be conferred on him by the said Winston County Highway Board and shall perform such duties as the Board may prescribe.

Section 5. The County Engineer shall receive an annual salary of not less than \$2,400, the exact amount to be fixed by the Highway Board, to be paid in equal monthly installments, which salary may not be decreased during his term of office, such salary to be paid from the gasoline tax fund of Winston County, Alabama.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

7-14-21-30 & 8-4.

PUBLISHERS AFFIDAVIT

STATE OF ALABAMA WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says: My name is Jay Thornton, I am editor and publisher of the Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issues of said paper published on the 14th day of July, 1949, and the last copy of said publication appearing in the said paper on the 4th day of August, 1949.

JAY THORNTON,
Publisher.

Sworn and subscribed to before me this 19th day of August, 1949.

PEARL ISRAEL,
Notary Public.

By Mr. Gaither:

S. B. 653. To make an additional appropriation to the Division of Service of the State Department of Finance for the fiscal years ending September 30, 1950 and September 30, 1951.

Committee on Finance and Taxation.

By Mr. Boutwell:

S. B. 654. To make an additional appropriation to the Office of the Secretary of State for the fiscal years ending September 30, 1950 and September 30, 1951.

Committee on Finance and Taxation.

By Mr. Boutwell:

S. B. 655. To provide that in any judicial circuit now or hereafter composed of one county having more than five circuit judges, in addition to the salary which now or hereafter may be paid by the State of Alabama to the judges thereof there shall be paid to each circuit judge thereof, the sum of three thousand dollars (\$3,000.00) per annum which sum shall be paid in equal monthly installments out of the general treasury of such county; and to provide that no salary shall be payable to such judges by such county except as provided in this Act.

Committee on Finance and Taxation.

By Mr. Coleman:

S. B. 656. To make an appropriation to the Richmond Pearson

Hobson Memorial Board for each of the fiscal years 1949-50 and 1950-51.

Committee on Finance and Taxation.

By Mr. Allen:

S. B. 657. To make an additional appropriation to the Division of Control and Accounts of the State Department of Finance for the fiscal years ending September 30, 1950 and September 30, 1951.

Committee on Finance and Taxation.

By Mr. Kendall:

S. B. 658. To make an additional appropriation to the Legislative Reference Service of Alabama for each of the fiscal years 1949-50 and 1950-51.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Haynes (Franklin) et al:

H. 604. To authorize and create an additional Judge of the Eleventh Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other circuit judges of the State, to provide for the designation of each of the two offices of Circuit Judge of said circuit by number and to provide for the salary of said judges.

By Mr. Beck:

H. 930. To amend Section 301 of Title 55 of the Code of Alabama (1940), as amended, which relates to the exempt, classified, and unclassified positions in the service of the State.

By Mr. Shelton:

H. 950. To provide for the appointment of acting members of boards of registrars.

By Messrs. Snodgrass, et al:

H. 730. To amend Section 8 of Act No. 351, General Acts of Alabama, 1947, page 231, entitled "An Act to provide for auditing periodically the books, accounts, vouchers, and records of public officers, agencies, and institutions; creating a Department of Examiners of Public Accounts and a supervisory Legislative Committee on Public Accounts; abolishing the Division of Examiners of Public Accounts of the Department of Finance and transferring its functions, funds, books, records, furniture, fixtures,

supplies, equipment, and personnel; and prescribing penalties for violations of this Act."

By Mr. Ingalls:

H. 959. Relating to insurers not authorized to transact business in this state; providing for actions in this state against and for the service of process upon such insurers; and prescribing how a defense may be made by such insurers.

By Mr. Lovelace:

H. 1047. To amend Section 201, Chapter 9, Title 15, Code of Alabama 1940, relating to bail, as amended by Act No. 199, as approved July 8, 1949.

By Messrs. Meeks, et al:

H. 75. To equalize the pay of Supernumerary Judges, prescribe their duties, and to refund to them their reasonable expenses for travel and hotel bills while engaged in their official duties in counties other than that of their residence.

By Mr. Dumas:

H. 717. To prohibit any deputy sheriff, sheriff, constable, deputy constable, or any state, county or municipal officer or employee, or any bondsman or his attorney-in-fact or agent, or any other person except attorneys-at-law in the practice of law, to receive or solicit any money or other thing of value from any defendant who stands charged with a public offense, or from another acting for such defendant, under an agreement, cloak, guise or pretense of using his influence or effort to have such defendant freed of such charge, or placed on probation, or his punishment reduced or lightened, and to provide punishment for a violation thereof.

By Mr. Harris:

H. 962. To provide supernumerary judges for courts of record; to prescribe their tenure, duties, powers, fix their compensation and the method of payment, and to prescribe the terms and conditions under which members of the Supreme Court and the Court of Appeals may become such.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gullledge (without recommendation):

S. 646. To repeal Section 11 of Act No. 158, H. B. 428, approved June 15, 1943, entitled "An Act To authorize the organization of public non-profit corporations for the purpose of acquiring and operating facilities for the production, transmission and distribution of electricity and related services in power districts to be

composed of all or parts of any three or more connecting counties; to specify the method of amending the certificate of incorporation of any such corporation; to provide for its management; to define its powers, including the power of eminent domain with certain limitations, the power to fix and collect rates and charges for services rendered, and the power to raise funds necessary for its purposes by the issuance of its revenue bonds payable solely from the revenues derived from the operation of its properties, which bonds and the interest coupons applicable thereto shall be negotiable; to exempt from all taxation all such bonds together with the income therefrom and any security executed therefor and all properties of the corporation; to authorize the making of pledges and mortgages and deeds of trust as security for such bonds; to require the consent of the Department of Finance to the issuance of such bonds; to specify the properties of such bonds and the rights and remedies of the holders thereof; to provide that such corporation shall not be subject to the jurisdiction of the Alabama Public Service Commission; and to provide for distribution of the assets of any such corporation on its dissolution," (General Acts of Alabama, 1943, page 142).

Mr. Howle, Chairman of the Standing Committee on En-grossed Bills reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Haynes (Franklin) (with notice and proof):

H. 985. To abolish the Court of County Revenues of Franklin County as it now exists and to establish in lieu thereof a Board of Revenue of Franklin County; to provide for its organization, powers, jurisdiction and duties; to provide for the qualifications, election and compensation of its members; to repeal all acts heretofore enacted relative to the Court of County Revenues of Franklin County and especially Act No. 479, S. 222, approved February 27, 1901, Acts of Alabama 1900, page 1203; and providing that this Act shall become effective upon its approval by the qualified electors of Franklin County.

Mr. Cater, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Thagard and Harris:

H. 813. Proposing an amendment to Article 12, Section 232 of the Constitution of Alabama and ordering an election thereon.

The above bill was read a second time at length as required by the Constitution.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate without recommendation, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Brannan (without recommendation):

H. 315. To appropriate the sum of ten thousand dollars (\$10,000.00) for repairing and restoring Fort Morgan, located in Baldwin County.

By Messrs. Buckner and Cox (without recommendation):

H. 972. To provide further for horticultural research: Making an appropriation to the Board of Trustees of Alabama Polytechnic Institute for the Chilton County Horticultural Area and the North Alabama Horticultural Area.

By Mr. Gullledge (without recommendation):

S. 645. To amend Section 399 of Title 51 of the Code of Alabama (1940), which relates to conditional and other exemptions of corporations and organizations from the payment of income taxes to the State.

By Mr. Gullledge (without recommendation):

S. 643. To amend Section 2 of Title 51 of the Code of Alabama (1940), as amended, which relates to persons and property which shall be exempt from ad valorem taxation.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Stone, et al (with substitute):

H. 651. To Amend Section 7 of an Act entitled, "An Act to create the office of Land Agent and so forth," Approved July 9, 1945.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gibson:

H. 886. To amend Section 92 of Title 55 of the Code of Alabama of 1940, which relates to the duties of the Budget Officer.

By Mr. Wallace:

H. 290. To provide for education benefits to children and widows of deceased veterans of World War II; to provide for educational benefits for the children, wives and veterans of World

War II who are suffering from a 40% or more service-connected disability; and to provide for correspondence and extension courses for veterans of World War II.

By Mr. Lovelace:

H. 705. For the relief of Roy Lynn.

By Mr. Miller:

H. 347. For the relief of Clifton E. Clement: making an appropriation of thirty five hundred dollars (\$3,500) to Clifton E. Clement as compensation for the loss of his leg resulting from his service with the national guard.

By Messrs. Inzer, et al:

H. 913. To provide legal counsel for the Chief Examiner and Department of Public Accounts.

By Mr. Ingalls (by request):

H. 794. To regulate the sale and delivery of motor fuel at retail for use and consumption in motor vehicles so as to require that the dispensing equipment be operated by the retailer or his agent and not by anyone else; to fix penalties for the violation thereof and to provide for the administration, enforcement and construction of this act.

By Mr. Benford:

H. 896. For the relief of J. A. Watwood.

By Mr. Harris:

H. 812. To amend Section 607 of Title 51 of the Code of Alabama (1940), which relates to the license on persons transferring freight.

By Messrs. Dumas and Gibson:

H. 907. To amend Sections 647, 648, 649 and 660 of Title 51 of the 1940 Code of Alabama, which relate to the excise tax on gasoline.

By Mr. Langan:

S. 591. For the relief of Mrs. Ruth Kersh: Appropriating the sum of one thousand dollars to Mrs. Ruth Kersh as compensation for the death of her husband who died as the result of injuries received during the course of his employment by the State Highway Department.

By Mr. Callahan:

H. 756. To amend Section 465 of Title 51 of the Code of Alabama (1940), which relates to privilege licenses for automobile accessory dealers.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to

the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gibson (with amendment):

H. 885. To amend Section 81 of Title 55 of the Code of Alabama (1940) which relates to the division of control and accounts; the comptroller.

By Messrs. Boutwell and Swift (with amendment):

S. 432. To appropriate the sum of Fifty Thousand (\$50,000.00) Dollars annually for each of the fiscal years 1950 and 1951 for the purpose of carrying out the provisions of Act No. 523, approved September 30, 1947, as amended, creating and establishing a Water Improvement Advisory Commission.

Mr. Boutwell, Chairman of the Standing Committee on Insurance reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Thompson (Crenshaw) (without recommendation):

H. 268. To amend Sections 317, 318, 320, 321, 322, 323, 325, and 327 of Title 28, 1940 Code of Alabama, relating to the State Insurance Fund.

Mr. Lamberth, Chairman of the Standing Committee on Public Welfare and Correctional Institutions reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Martin (Greene), et al:

H. 685. To amend Section 46 of Title 49 of the Code of Alabama 1940 which relates to participation of state, county and federal government in the payment of old age assistance grants.

By Messrs. Leonard, et al:

H. 194. To amend Section 20 of Title 49 of the Code of Alabama 1940, as amended by Act No. 4, General Acts of Alabama, 1943, approved May 15, 1943; and to amend Section 26 of Title 49 of the Code of Alabama 1940, as amended by Act No. 4, General Acts of Alabama, 1943, approved May 15, 1943.

By Messrs. Martin (Greene), et al:

H. 684. To amend Section 30 of Title 49 of the Code of Alabama 1940, as amended which relates to participation of state, county and federal government in the payment of assistance to needy blind persons.

Mr. Cater, Vice-Chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Miller, et al:

H. 636. To provide that any machine, mechanical device, contrivance, appliance or invention in the State of Alabama that is designed and manufactured for, and is possessed, maintained or operated solely for the purpose of providing amusement or entertainment through its operation, the result of which operation is determined, or partly determined by the skill of the player or operator as distinguished from luck or chance, and which offers no material or tangible reward or inducement to an operator thereof other than amusement or entertainment, shall not be prohibited, and shall not be unlawful in the State of Alabama; to provide for privilege license therefor; to repeal all laws or parts of laws in conflict therewith, and to provide for severability of the sections of this Act.

By Messrs. Sightler, et al:

H. 1052. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Mr. Hardwick, Chairman of the Standing Committee on Public Roads and Highways reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adams (Jefferson):

H. 74. To amend Section 15 of Title 36 of the 1940 Code of Alabama, which prohibits one vehicle from too closely following another.

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Gillis and Tucker (with notice and proof):

H. 721. To create the office of county solicitor of Clarke County, Alabama; to fix the qualifications of the county solicitor of such county; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

By Messrs. Gillis and Tucker (with notice and proof):

H. 722. To abolish the office of deputy solicitor in Clarke County, Alabama.

By Mr. Black (with notice and proof):

H. 932. Relating to Walker County: To change the basis of compensating the tax collector; fixing his salary and providing for its payment; providing clerks for his office and for their compensation, providing that all fees, commissions, and allowances heretofore collectible for the use of the tax collector shall be collected by him and covered into the county treasury to the credit of a special fund to be known as the Cost and Fee Fund; repealing conflicting laws.

By Mr. Black (with notice and proof):

H. 933. Relating to Walker County: To change the basis of compensating the tax assessor; fixing his salary and providing for its payment; providing clerks for his office and for their compensation; providing that all fees, commissions, and allowances heretofore collectible for the use of the tax assessor shall be collected by him and covered into the county treasury to the credit of a special fund to be known as the Cost and Fee Fund; repealing conflicting laws.

By Mr. Black (with notice and proof):

H. 938. Relating to Walker County: To change the basis of compensating the probate judge; fixing his salary and providing for its payment; providing clerks for his office and fix their compensation; providing that all fees, commissions, and allowances heretofore collectible for the use of the probate judge shall be collected by him and covered into the county treasury to the credit of a special fund to be known as the Cost and Fee Fund; repealing conflicting laws.

By Messrs. Dumas, et al:

H. 969. To propose an amendment to the Constitution of

Alabama with respect to the filling of vacancies in the office of judge of the circuit court holding at Birmingham.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Brannan (with notice and proof):

H. 1039. For the relief of Lillie Mae White, Willie White and James Edward White, dependent widow and minor sons of Jim White, deceased, by the payment to them of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for the death of the said Jim White on the 4th day of December, 1947, as the proximate result of negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Lillie Mae White, Willie White, and James Edward White, dependent widow and minor sons of Jim White, deceased, have no recourse at law.

By Mr. Brannan (with notice and proof):

H. 1040. For the relief of Cleveland Rice, dependent sister of Jeff White, deceased, by the payment to her of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for death of the said Jeff White on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Cleveland Rice, dependent sister of Jeff White, deceased, has no recourse at law.

By Mr. White (Covington) (with notice and proof):

H. 1041. To amend an Act entitled "An Act to abolish the Court of County Commissioners of Covington County, and to create a Court of Record to be called "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their term of office; to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how

they shall be called; to prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond payable to the county, for the performance of their duties; to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed.

By Mr. Richardson (with notice and proof):

H. 1042. To require the Board of Revenue of Lawrence County, Alabama, or other like governing board of said county, to pay for the publication of the notice of each and every local bill heretofore advertised for the present session of the Legislature of Alabama, or which may hereafter be advertised for the present session or any subsequent session of the Legislature of Alabama, for or which applies alone to the County of Lawrence, and out of any money in the treasury of said county not otherwise appropriated; provided the notice so published is signed by the Representative of said county or by the State Senator from the Second Senatorial District.

By Messrs. Whitcomb and Crocker (with notice and proof):

H. 1043. To authorize the Tax Collector of Marengo County to employ, at public expense, a clerk or assistant to aid him in the performance of his official duties; to fix the compensation to be paid to such clerk or assistant; and to provide for the payment of the same out of the general fund of Marengo County.

By Mr. Denton (with notice and proof):

H. 1048. Relating to Blount County: To amend Section 1 of Act No. 183, H. 363, approved March 1, 1937 (Local Acts of Alabama, Extra Session 1936-37, page 71) entitled "An Act To allow the Register in Chancery of the Circuit Court of Blount County, Alabama, a clerk; to provide for the appointment and tenure of office of said clerk to fix the salary of said clerk and to make the same payable out of the general funds of Blount County in monthly installments."

By Mr. Coburn (with notice and proof):

H. 1049. Levying in Colbert County, Alabama, additional special privilege or license taxes and excise taxes paralleling, with like provisions in Colbert County, such State taxes as are levied by the State by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, except that only twenty-five per centum of the State levy provided by subdivision (a) of said Section 753 and by subdivision (c) of said Section 753 is hereby made and is to be collected hereunder in Colbert County, that only fifty per centum of the State levy provided by subdivision (b) of said Section 753 is hereby made and is to be collected hereunder in Colbert County, and that only fifty per centum of the State levy provided by said Section 788 is hereby made and is to be collected hereunder in Colbert County; and providing for the collection thereof; and providing that the taxes herein levied shall be collected by and paid to the Custodian of the Public School Funds of Colbert County in his official capacity, and providing for compensation to said Custodian and for clerk hire and other expenses incurred by him in the collection, handling, and disbursing of said moneys; and providing for the distribution of all such revenue arising from the levy herein made to the Board of Education of the City of Tusculumbia, to the Board of Education of the City of Sheffield and to the County Board of Education of Colbert County, and providing for the apportionment of said revenue among said boards; and providing that the taxes herein levied shall constitute a debt due Colbert County for the use and benefit of said Boards of Education; and providing that said taxes shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Colbert County except as herein otherwise specifically provided; and providing that the taxes as herein levied, together with the interest and penalties imposed by this act, shall be a lien upon the property of any person, firm or corporation due said taxes under the provisions of this act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes herein levied; and providing when said taxes shall be due and collectible and providing the manner and methods for collecting the same; and providing that each tax payer may comply with the provisions of this act by filing with the Custodian of the Public School Funds of Colbert County a copy of the report made by him to the Commissioner of Revenue of the State of Alabama, and paying to said Custodian the tax due according to said report computed according to the percentages levied by this act, without making other reports or payments; and providing that all laws and parts of laws in conflict with any provision of this act are hereby repealed; and providing that if any section, clause or provision of this act shall be, or de-

clared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid; and providing when this act shall take effect; and providing that all revenue arising from the levy herein made and distributed to the Board of Education of the City of Tuscumbia shall be used exclusively for public school purposes in said City of Tuscumbia and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said City of Tuscumbia, and that all such revenue arising from the levy herein made and distributed to the Board of Education of the City of Sheffield shall be used exclusively for public school purposes in said City of Sheffield and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said City of Sheffield, and that all such revenue arising from the levy herein made and distributed to the County Board of Education of Colbert County shall be used exclusively for public school purposes in said County outside the City limits of the Cities of Tuscumbia and Sheffield and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said County outside the City limits of the Cities of Tuscumbia and Sheffield, and providing that each of said Boards shall have the right and authority to pledge its respective share of the revenue arising from the taxes herein levied as security for debts incurred in the future or for warrants issued in the future for such public school purposes.

WHEREAS, Colbert County has recently become the center of vast industries and has gained rapidly in population, and every public school in the County has a large increase in enrollment; and

WHEREAS, it is imperative that the County provide more adequate school buildings and equipment and a broadened school program, and it is necessary to provide more revenue to meet this great and growing need; Therefore;

By Messrs. Leonard and Ganey (with notice and proof):

H. 1050. For relief of E. L. Moore and to appropriate \$100.00 out of the Road Fund of Talladega County for the payment to the said E. L. Moore for damages occurring to property belonging to him during the year 1948.

By Messrs. Sightler, et al:

H. 1053. Relating to all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the

governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

By Messrs. Sightler, et al:

H. 1054. To authorize the governing body of any municipality in the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

By Messrs. Rogers and Barnett (with notice and proof):

H. 1060. To amend Act No. 438, H. 856, approved September 25, 1947, (Local Acts of Alabama, 1947, page 296) entitled "An Act To authorize the City of Florence, Alabama, to establish a City Employees Retirement Fund and to provide for such fund and its sources, management, and administration; to provide for a board of trustees for such fund and their duties, power, and authority; to provide for the retirement and for reinstatement of active or retired members of such departments and payment of benefits provided for; to provide for payment of said trustees; to provide for appeals from rulings of the Board of Trustees."

By Mr. Buckner (with notice and proof):

H. 1056. To extend and enlarge the boundaries of the corporate limits of the City of Cullman, Alabama.

By Messrs. Meeks, et al:

H. 1063. To amend Section 81 of Title 51 of the Code of Alabama (1941), which relates to the valuation of real property assessed for taxes in counties having a population of 200,000 or more.

By Messrs. Wallace and Thomas:

H. 1064. Authorizing the governing body of any county having a population of not less than 32,000 and not more than 42,000 inhabitants and two courthouses to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county.

By Mr. Mize (with notice and proof):

S. 630. To impose extra, new and additional duties upon the members of the Board of Revenue of Tuscaloosa County, Alabama, and to provide additional compensation for the perform-

ance of such duties, and to provide an effective date for this act and to repeal all laws, and parts of laws in conflict with this act.

By Mr. Hooton (with notice and proof):

S. 631. To provide for the Redistricting of the Commissioner's Districts of Randolph County, Alabama.

By Mr. Kimbrell (with notice and proof):

S. 632. Relating to Fayette County: To impose extra, new, and additional duties upon the members of the county governing body of Fayette County; to provide additional compensation for the performance of such duties; and to designate the funds from which the compensation of members of such governing body shall be paid.

By Mr. Kimbrell (with notice and proof):

S. 633. To authorize and empower the Tax Assessor of Fayette County, Alabama to appoint a Clerk; to authorize and empower the Tax Collector of Fayette County, Alabama, to appoint a clerk; to fix the salary of both said Clerks, and to provide for the method of payment of salary of each of said Clerks.

By Mr. Cater (with notice and proof):

S. 634. To amend Section 561 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

By Mr. Cater (with notice and proof):

S. 635. To alter, rearrange and extend the boundary lines and corporate limits of the City of Montgomery, in Montgomery County, Alabama; and to prescribe the time when this Act shall become effective.

By Mr. Cater (with notice and proof):

S. 636. To amend Section 565 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

By Mr. Harvey (with notice and proof):

S. 637. To amend Sections 4 and 8 of an Act entitled "To establish an inferior court in Blount County, Alabama, with concurrent jurisdiction of Justice of the Peace Courts in said County and to define the jurisdiction and powers of said Court and the Judge thereof; to provide for the execution of processes of said Court and the operation thereof, to provide for the effect of recorded judgments of said Court, to provide for the appointment, election and term of office, qualifications and compensations of the judge thereof, and to provide the place and times of the holding of such Court," approved July 17, 1931.

By Mr. Hardwick (with notice and proof):

S. 638. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama.

By Mr. Gulledge (with notice and proof):

S. 639. To amend Act Number 162, H. B. 152 approved August 21, 1923 (Local Acts of Alabama, 1923 PP. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary, and to provide for the election of the County Treasurer of Chilton County, Alabama by the qualified voters of said County."

By Mr. Gulledge (with notice and proof):

S. 640. For the relief of C. O. Lawrence, M. D., and to authorize, empower and direct the Court of County Commissioners of Chilton County, Alabama, and the Treasurer of Chilton County, Alabama, to pay to the said C. O. Lawrence, M. D., the sum of \$57.00 out of the general fund of the Treasury of said County, not otherwise appropriated, in order to reimburse the said C. O. Lawrence, M. D., for medical services and other services rendered by him on account of the injuries to the said Bertha Martin, caused by the caterpillar patrol owned and operated by Chilton County, Alabama.

By Mr. Quarles:

S. 641. Applying in cities having a population of more than 17,500 and not more than 22,500 and having a mayor-council form of city government: providing for holding a referendum to determine whether members of the city council shall be elected from wards or from the city at large.

By Mr. Harvey (with notice and proof):

S. 642. To abolish the Commissioners Court of Blount County, Alabama, and to establish in lieu thereof the Board of Revenue of Blount County, Alabama; to provide that said Board of Revenue shall consist of a chairman and four other members; to designate and name the first members of said Board and to provide for election of their successors; to fix the terms of office of the members of said Board; to prescribe the qualifications of the members of said Board; to divide the county into four districts; to prescribe and fix the terms and sessions of said Board and quorum thereof; to prescribe, fix and limit the powers, jurisdiction, duties and authority of said Board; to provide that all general laws which may hereafter be enacted affecting county governing bodies shall apply to said Board; to provide for and fix the compensation of the members of said Board; to provide for the filling of any vacancies that may occur on said Board.

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lovelace (with notice and proof) (with substitute):

H. 835. To amend an Act entitled: "An Act To authorize the Board of Revenue of Escambia County, Ala. to allow and pay the necessary, actual, reasonable, and monthly expenses of the members of said Board in the performance of their public and official duties as members of said Board for the amount agreed on by said Board of (\$65.00) Sixty Five Dollars per month for each member and not less than said amount until the further orders of said Board."

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 283. To amend Section 8 of an act entitled "An Act To provide that all cities in Alabama that now have, or may hereafter have a population of as much as 15,000 and less than 17,500, according to the last Federal Census, or any such census, which may hereafter be taken, shall be known and designated as Class "D" Cities; to provide and create a Commission Form of Government and to establish the same in all Class "D" Cities of Alabama as herein defined; to abolish the offices of Mayor and aldermen or commissioners, as the case may be, and otherwise to provide for the creation and maintenance of said Commission Form of Government; to provide for the selections and elections of a Chairman and two (2) Associate Commissioners in lieu of Mayor and Aldermen or commissioners, as the case may be; to prescribe limitations and qualifications for officers and employees and penalties for violation of the provisions of this Act; to provide for the adoption of the Commission Form of Government, under the provisions of this Act by an election of the qualified electors of such city, the manner, method and provisions for the conduct of said elections; canvass of returns and proclamation by the Mayor or other governing authority of said city; to fix the duties, powers and compensation of the Board of Commissioners."

Also:

H. 351. To provide for absentee voting in primary, general, special and municipal elections: prescribing penalties for violations of the Act and repealing conflicting laws.

Also:

H. 635. Relating to public health; to regulate, through licensure, hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act.

Also:

H. 801. To provide for the creation of the office of Assistant Commissioner of Revenue of the Department of Revenue; to define the qualifications, duties, and authority of such office; to provide that the Assistant Commissioner of Revenue shall be appointed and hold office under the provisions of the State Merit System as provided by law; to provide for the severability of the provisions of this Act; to provide for the repeal of laws in conflict herewith; to provide for the effective date of this Act.

Also:

H. 934. Relating to Walker County, Alabama; amending Act No. 232, S. B. 187, approved July 31, 1935 (Local Acts of Alabama, 1935, p. 131) entitled: "An Act to abolish the County Commission of Walker County, and to establish in lieu thereof a Board of Revenue; to provide when said County Commission shall be abolished and said Board of Revenue established; to provide the number of members of said Board of Revenue; to prescribe their terms of office, authority, powers, duties and fix their compensation; to provide for the selection and election of said members, and to repeal all laws and parts of laws in conflict herewith."

Also:

H. 991. To amend Local Act Number 602, of the Regular Session of the Legislature of 1939, approved by the Governor on June 28, 1940, entitled an Act: "To authorize and empower the Board of Revenue of Montgomery County, Alabama, in its discretion to donate annually out of the general funds of Montgomery County, Alabama, a sum not exceeding \$600.00 per annum to the support of the Montgomery Museum of Fine Arts. Said sum to be paid in equal monthly installments," as amended.

Also:

H. 993. To authorize and empower the Sheriff of Talladega County, Alabama to appoint, in addition to the Deputy or Deputies as now provided by law, a Deputy Sheriff, his term of office, prescribe his duties, fix his compensation, and to authorize and require the Court of County Commissioners of Talladega County, Alabama to pay the same said Deputy out of the General Funds of said County, and to require said Deputy to give bond in the sum of One Thousand Dollars payable to said Sheriff with conditions as required by law.

Also:

H. 996. To fix the compensation or salary of the County Treasurer in counties of 400,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require such officer to pay in to the County Treasury of such county or Counties, all fees, commissions, costs, or other emoluments which are now allowed by law.

Also:

H. 997. To fix and increase the salary of the Judge of the Juvenile and Domestic Relations Court of Jefferson County, Alabama, and provide for the payment thereof.

Also:

H. 999. For the relief of Etta Burkett, widow of D. Frank Burkett, of Jasper, Alabama, as compensation for the death of D. Frank Burkett, whose death resulted from injuries received at the hands of prisoners who escaped from the Walker County Jail on the afternoon of June 28, 1948, on which occasion D. Frank Burkett was engaged in the performance of his duties as warden of said Walker County Jail; to authorize and direct the governing body of Walker County to pay Etta Burkett the sum of \$2,500.00 as compensation for the death of D. Frank Burkett.

Also:

H. 1006. To provide for the education or training of deputies sheriff of the Sheriff in all counties of the State of Alabama with a population of 400,000 or more according to the last Federal Census at the Federal Bureau of Investigation National Police Academy; and for payments of expenses incident thereto.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

At 9:40 A. M. Mr. Hughes moved that further reading of the Journal of yesterday be dispensed with and on objection of Mr. Lamberth, the Secretary continued with the reading at length of the Journal of yesterday.

At 10:20 A. M. Mr. Patterson moved that further reading of the Journal of yesterday be dispensed with and on objection of Mr. Kimbrell, the Secretary continued with the reading at length of the Journal of yesterday.

The Rules Committee offered the following special rule, to-wit:

Resolved by the Senate that the following special rule be adopted for the thirty-second Legislative day:

A motion to reconsider the vote by which the substitute for House Bill 52 was adopted on the thirty-first legislative day will be in order at any time after the reading of the Journal is completed.

Which was placed on the Secretary's desk at 11:55 A. M.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. McIlwain, White (Perry) and Adams (Dale):

H. 952. To amend Section 29 of Title 11 of the 1940 Code which relates to the fees allowed probate judges.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 952. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Evans:

H. 1044. Relating to Choctaw County: To authorize and direct the governing body of Choctaw County to pay the salaries of clerks for the Tax Assessor and Tax Collector of the county.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF CHOCTAW

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Choctaw County: To authorize and direct the governing body of Choctaw County to pay the salaries of clerks for the Tax Assessor and Tax Collector of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Choctaw County is authorized and directed to pay out of the county treasury the salaries of a clerk for the Tax Assessor and a clerk for the Tax Collector, to be appointed by the Tax Assessor and Tax Collector who shall also fix each of their salaries at not more than one thousand two hundred dollars (\$1,200) per annum.

Section 2 This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

7-14-4t

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Matt L. Blount, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1949.

MATT L. BLOUNT.

Sworn to and subscribed before me August 8, 1949.

ZACK ROGERS, JR.,
Notary Public.

Also:

By Messrs. Sightler and Pinkston:

H. 1055. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the

time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Also:

By Messrs. Sightler and Pinkston:

H. 1051. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

Also:

By Messrs. Dumas, Gibson, Beatty and Meeks:

H. 1076. To provide for a Commissioner of Licenses in all counties of the State having a population of 350,000 or more according to the last or any subsequent Federal Census, for his tenure and appointment subject to any applicable civil service or merit system act and the repeal of all conflicting laws, including Section 865 of Title 51 of the Alabama Code of 1940.

Also:

By Messrs. Sadler, Beatty, Meeks, Dumas and Adams (Jefferson):

H. 1078. To amend Sec. 287 of Title 62, of the Code of Alabama of 1940.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL ACT

Notice is hereby given that application will be made to the Alabama Legislature at its present session for the enactment of a law of the following content:

A BILL TO BE ENTITLED AN ACT

To Amend Sec. 287 of Title 62, of the Code of Alabama of 1940.

Be It Enacted by the Legislature of Alabama as follows:

Section 1. That Section 287 of Title 62, of the Code of Alabama of 1940, be and the same hereby is amended to read as follows:

"Section 287. BOARD OF COSMETOLOGICAL EXAMINERS.—For carrying out the provisions of this subdivision, there shall be a Jefferson County board of cosmetological examiners herein sometimes referred to as "the board." The present members of said board having been previously appointed by the county commission shall serve for the duration of their term but in the event of a vacancy existing at the time of the taking effect of this act or occurring in the future, said vacancy shall not be filled until the number of said board members is reduced to three. It being the intention of this act to reduce the membership of said board to three members as vacancies occur. All appointments to be made by the county commission or like governing body of the county. Board members shall be named and shall be practitioners of cosmetology of not less than five years' experience in this state and shall reside in Jefferson county. The members of the board shall be appointed for a term of two years and those appointed to fill interim vacancies, shall be appointed only for the unexpired terms of their predecessors. No member of the board shall directly or indirectly be engaged in or interested in selling cosmetological fixtures or supplies and each of such members shall be a qualified voter of the county in which he is appointed at the time of his appointment and during the term he holds his office. The board shall keep a record of all proceedings subject to public inspection, and a register of all applicants and registrants, and said board shall have authority to make reasonable rules and regulations for the operation of schools of cosmetology and beauty shops and the practice of cosmetology, not inconsistent with this act as it shall deem necessary for carrying out the provisions of this act, and from time to time alter, repeal or amend such regulations, or any of them. The county health officer shall appoint, and at his pleasure remove an inspector, who shall be under the supervision of the board of cosmetological examiners and the county health officer, and such inspector shall not engage in business as a cosmetologist, operate a cosmetology school nor be directly or indirectly engaged in selling cosmetological fixtures or supplies in any way while serving as such inspector, nor shall such inspector be related by blood or marriage to any member of the board. Such inspector shall have the authority to enter upon and inspect any school or shop of cosmetology in said county for the purpose of enforcing the provisions of this subdivision; and he shall report in writing on the health conditions found therein to the county health officer. Such inspector when appointed by the county health officer shall for his services receive a salary, which shall be paid on the order of the board of cosmetological examiners and with the approval of the chairman of the county commission. Such salary shall be fixed by the county Commission of Jefferson county and all reasonable expenses allowed and approved by the board of cosmetological examiners and the chairman of such county commission, all of which payments and the other

payments herein authorized shall not exceed the total revenue received from licenses and fees paid under this subdivision, during the fiscal year. A copy of all rules and regulations adopted by the board shall be furnished to the proprietor of each shop and school of cosmetology. The report herein above required to be made to the county health officer shall be made in writing and shall contain such matters as may be required by such county health officer and a copy of such report shall in all instances be furnished to the board. No two members of said board shall be a part owner of, or employed by, or work in any one shop or school of cosmetology while in office.

All employees of the Jefferson County Board of Cosmetological Examiners must take an examination and qualify by a Civil Service Examination to be conducted by the existing Civil Service System in said County.

The employees now serving in the Jefferson County Board of Cosmetology who have secured continuously in such positions or similar positions for a period of twelve months prior to the date of this Act shall be deemed to have acquired permanent Civil Service Status, within the meaning of any civil service law now in effect in said county.

Section 2. To repeal all laws or parts of laws in conflict herewith.

Section 3. This act shall become effective immediately upon its approval by the Governor or its otherwise becoming a law.
Messenger—July 16-23-30; Aug. 6, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 16, 23, 30, August 6, 1949, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 6 day of August, 1949.

NELL LYNN,
Notary Public.

Also:

By Messrs. Dumas, Meeks, Beatty, Sadler and Adams (Jefferson):

H. 1079. To amend Section 3 of Act No. 247, H. B. 512, approved November 9, 1932 (Local Acts of Alabama, Extra Session, 1932, page 98) entitled "An Act To establish a Jury Board in Jefferson County, Alabama, to fix the membership of said Board, to prescribe the qualifications and terms of office and provide for the appointment of the members thereof; to fix their compensation and to define their duties; to provide for the appointment, duties and compensation of the clerks of said Board, for the qualification of jurors, for the preparation of jury rolls and the filling and refilling of jury boxes; to provide for the method of serving notice upon jurors requiring their attendance for jury service and to provide for the payment of the necessary expenses of such Board."

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL ACT

Notice is hereby given that application will be made to the Alabama Legislature at its present session for the enactment of a law of the following content:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act No. 247, H. B. 512, approved November 9, 1932 (Local Acts of Alabama, Extra Sesssion, 1932, page 98) entitled "An Act To establish a Jury Board in Jefferson County, Alabama, to fix the membership of said Board, to prescribe the qualifications and terms of office and provide for the appointment of the members thereof; to fix their compensation and to define their duties; to provide for the appointment, duties and compensation of the clerks of said Board, for the qualification of jurors, for the preparation of jury boxes; to provide for the method of serving notice upon jurors requiring their attendance for jury service and to provide for the payment of the necessary expenses of such Board."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 247, H. B. 512, approved November 9, 1932 (Local Acts of Alabama, Extra Session, 1932, page 98) entitled "An Act To establish a Jury Board in Jefferson County, Alabama, to fix the membership of said Board, to prescribe the qualifications and terms of office and provide for the appointment of the members thereof; to fix their compensation and to define their duties; to provide for the appointment, duties and compensation of the clerks of said Board, for the qualification of jurors, for the preparation of jury rolls and the filling and re-filling of jury boxes; to provide for the method of serving notice upon jurors requiring their attendance for jury service and to provide for the payment of the necessary expenses of such Board," is amended to read: "Section 3. The members of the Jury Board and their successors shall be elected by a majority of the judges of the tenth judicial circuit. The members of the Jury Board shall serve for terms of three years."

Section 2. This Act shall become effective January 1, 1950.
Messenger—July 16-23-30; Aug. 6, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 16, 23, 30, August 6, 1949, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 6 day of August, 1949.

NELL LYNN,
Notary Public.

Also:

By Messrs. Beatty, Adams (Jefferson), Meeks, and Gibson:

H. 1081. To apply in and only in counties in Alabama having a population of 400,000 inhabitants or more, according to the last or any subsequent Federal census and to empower and authorize the county commission, board of revenue, or like governing body of all such counties to authorize and approve a monetary allowance not to exceed the sum of fifty dollars monthly to be made to any of the members of such governing body for and on account of the use of an automobile owned or controlled by said member of such governing body in the event such automobile is used by such member of such governing body, partially or entirely, in connection with the performance of his official duties as a member of such governing body.

Also:

By Messrs. Dumas, Adams (Jefferson), Meeks and Beatty:

H. 1077. To fix the compensation or salaries of Tax Assessors and Tax Collectors in counties of 400,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require such officers to pay in to the county treasury of such county, or counties, all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

By Messrs. McGowin and Thagard:

H. 1067. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

With notice and proof thereto attached and herewith exhibited as follows:

SPECIAL NOTICE

Notice is hereby given of intention to apply at the present regular session of the Legislature of Alabama for the enactment of the following local law, the promisions of which shall be effective in Butler County only.

A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Greenville, Butler County, Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said City all territory now within such corporate limits, and certain other territory in Butler County, Alabama, contiguous thereto, all of which territory is described as follows, viz:

W $\frac{1}{2}$ and the W $\frac{1}{2}$ of E $\frac{1}{2}$ of Section Thirteen; all of Section Fourteen; the E $\frac{1}{2}$ of SE $\frac{1}{4}$ and E $\frac{1}{2}$ of NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section Fifteen; E $\frac{1}{2}$ of E $\frac{1}{2}$ of Section Twenty-Two; all of Section Twenty-Three; W $\frac{1}{2}$ and the W $\frac{1}{2}$ of E $\frac{1}{2}$ of Section Twenty-Four, all in Township Ten, Range Fourteen.

Section 2. That all laws and parts of law, general, local or special, in conflict with the provisions of this act be and the same are hereby repealed.

Section 3. That this act shall be effective on and after the 1st day of October, 1949. 42c4

STATE OF ALABAMA
BUTLER COUNTY

Personally appeared before me, Doris McCrory a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four (4) successive weeks, said notice having been published in the issues of July 21st, 1949 and July 28th, 1949 and August 4th, 1949 and August 11th, 1949 being numbers 42, 43, 44, & 45, respectively of Volume 84.

J. G. STANLEY.

Sworn to and subscribed before me, this 11th day of August, 1949.

DORIS McCRORY,
Notary Public.

Also:

By Messrs. Barnett and Rogers:

H. 1068. To allow the Sheriff of Lauderdale County, Alabama, an additional Deputy Sheriff to those provided by law; to fix the salary of said Deputy and to make the same payable out of the general funds of Lauderdale County in monthly installments.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that application will be made to the 1949 Session of the Legislature of Alabama, for the passage of the following Local Act, to-wit:

AN ACT

To allow the sheriff of Lauderdale County, Alabama, an additional deputy sheriff to those provided by law; to fix the salary of said deputy and to make the same payable out of the general funds of Lauderdale County in monthly installments.

Be It Enacted by the Legislature of Alabama:

Section I

That the Sheriff of Lauderdale County, Alabama is hereby allowed an additional Deputy Sheriff to the deputies now provided by law, which said Deputy shall receive a salary of \$2100.00 per annum, to be paid in twelve (12) equal monthly installments out of the General Funds of Lauderdale county; that said Deputy Sheriff shall be eligible to perform the duties of Deputy Sheriff anywhere in Lauderdale County.

Section II

That on the first day of each month a statement of the name and the amount due said Deputy Sheriff shall be furnished to the Court of County Commissioners of Lauderdale County by the Sheriff of said County and it shall thereupon be the duty of said Court to order warrants drawn upon the General Funds of said County, payable to said Deputy Sheriff for the amount of one month's salary as hereinabove provided.

Section III

That all laws and parts of laws in conflict with this Act are hereby expressly repealed, and this Act shall be in full force and effect from the date of its approval by the Governor. July 7-14-21-28c

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, D. H. Bowling, Advertising Manager of The Florence Times, a daily newspaper published in Florence, Lauderdale County, Alabama, and with a general circulation in Lauderdale County, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: An Act To allow the Sheriff of Lauderdale County, Alabama, an additional deputy Sheriff to those provided by law as published in The Florence Times on the days and dates and in the amount of space as here given, as follows: July 7-14, 21, 28, 1949. Florence, Ala., August 1st, 1949.

D. H. BOWLING,

Advertising Manager of The Florence Times.

Sworn to before me this 1st day of August, 1949.

L. H. BAKER,
Notary Public.

My Commission Expires August 27, 1951.

Also:

By Mr. Bennett:

H. 1072. To consolidate the offices of Circuit Clerk and Register of the Chancery Court of Calhoun County, and prescribing the duties and compensation of the Circuit Clerk of Calhoun County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CALHOUN

NOTICE is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To consolidate the offices of Circuit Clerk and Register of the Chancery Court of Calhoun County, and prescribing the duties and compensation of the Circuit Clerk of Calhoun County.

Be It Enacted by the Legislature of Alabama:

Section 1. After the expiration of the terms of office of the incumbents, the offices of Circuit Clerk of Calhoun County and Register of the Chancery Court of Calhoun County shall be consolidated and the powers and duties of such officers shall be conferred on and exercised by the Circuit Clerk of Calhoun County. The Circuit Clerk of Calhoun County shall be entitled to receive all fees which at present accrue to the offices of Circuit Clerk and Register of the Chancery Court of Calhoun County.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.
July 13-20-27; Aug. 3

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Harry M. Ayers, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, July 20, July 27, and Aug. 3, all in the year 1949.

HARRY M. AYERS.

Sworn to and subscribed before me August 8, 1949.

CLARA B. WRIGHT,
Notary Public.

Also:

By Mr. Bennett:

H. 1073. For the relief of Mrs. Clarence William Carter as compensation for the death of her husband, Clarence William Carter, deceased, of Anniston, Alabama, as a result of injuries received by him when struck by a police car owned, and being operated on official business, by the City of Anniston, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CALHOUN

NOTICE is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

For the relief of Mrs. Clarence William Carter as compensation for the death of her husband, Clarence William Carter, deceased, of Anniston, Alabama, as a result of injuries received by him when struck by a police car owned, and being operated on official business, by the City of Anniston, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Commissioners of the City of Anniston, Alabama, is hereby authorized and directed to pay to Mrs. Clarence William Carter the sum of two thousand dollars (\$2,000) as compensation for the death of her husband, Clarence William Carter, which occurred April 22, 1946, as the result of injuries received when the deceased was struck by a police car owned and being operated on official business, by the City of Anniston, Alabama.

Section 2. This Act shall become effective November 15, 1949.
July 13-20-27; Aug. 3

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Harry M. Ayers, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, July 20, July 27, and Aug. 3, all in the year 1949.

HARRY M. AYERS.

Sworn to and subscribed before me August 8, 1949.

CLARA B. WRIGHT,
Notary Public.

Also:

By Mr. Bennett:

H. 1083. To amend Section 2 of Act 187, H. 500, approved July 24, 1947 (Local Acts of Alabama, 1947, page 103) entitled "An Act to provide for a Deputy Clerk of the Circuit Court of Calhoun County, and to fix his powers, duties and compensation."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act 187, H. 500, approved July 24, 1947 (Local Acts of Alabama, 1947, page 103) entitled "An Act to provide for a Deputy Clerk of the Circuit Court of Calhoun County, and to fix his powers, duties and compensation."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act 187, H. 500, approved July 24, 1947 (Local Acts of Alabama, 1947, page 103) entitled "An Act to provide for a Deputy Clerk of the Circuit Court of Calhoun County, and to fix his powers, duties and compensation," is amended to read:

"Section 2. The salary of the said Deputy Clerk shall be two hundred dollars (\$200) per month, payable out of the county treasury of Calhoun County."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. July 13-20-27; Aug. 3

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Harry M. Ayers, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, July 20, July 27, and Aug. 3, all in the year 1949.

HARRY M. AYERS.

Sworn to and subscribed before me August 8, 1949.

CLARA B. WRIGHT,
Notary Public.

Also:

By Messrs. Callahan and Shelton:

H. 1069. To impose extra, new and additional duties upon the members of the Board of Revenue in all counties of this State having a population of not less than 76,000 and not more than 114,000, according to the last or any subsequent federal census, and to provide additional compensation for the performance of such duties, and to provide an effective date for this act, and to repeal all laws and parts of laws in conflict with this act.

Also:

By Messrs. Cole and Brassell:

H. 1075. To establish a County Commission for Russell County, to provide for the appointment and election of the members thereof and prescribe their duties and powers, to provide for a Chairman of said County Commission and to fix his duties and powers; and fix their compensation; to divide the County of Russell into three districts for the County Commission of Russell County and abolish the Court of County Commissioners for Russell County, and to repeal all conflicting laws, general, local and special.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF RUSSELL

NOTICE is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To establish a County Commission for Russell County, to provide for the appointment and election of the members thereof and prescribe their duties and powers, to provide for a Chairman of said County Commission and to fix his duties and powers; and fix their compensation; to divide the County of Russell into three districts for the County Commission of Russell County and abolish the Court of County Commissioners for Russell County, and to repeal all conflicting laws, general, local and special.

Be It Enacted by the Legislature of Alabama:

Section 1. That there is hereby established a County Commission for Russell County, Alabama, consisting of three members to be known and called "The County Commission for Russell County."

Section 2. That the County of Russell County be, and the same is hereby divided into three districts of the County Commission to be numbered first, second and third. That the first district of Russell County shall be composed of that part of Russell County within the beats or precincts as now existing and numbered one, eight and nine. That the second district of Russell County shall be composed of that part of said County embraced within the beats or precincts as now existing and numbered as follows: precincts or beats numbered two, seven and ten. That the third said district of Russell County shall be composed of that part of said County embraced within the precincts or beats as now existing and numbered as follows: precincts or beats numbered three, four, five and six.

Section 3. On approval of this act by the Governor, the House of Representatives of Alabama shall forthwith select and appoint one member of said Commission for Russell County for each of the said three districts provided for in Section 2 of this act, each of said three members so selected and appointed shall be a resident of his respective district, who shall together constitute the members of the County Commission for Russell County hereby created and established. The members of said County Commission so selected and appointed shall hold office until the first Monday after the Second Tuesday in January, 1953, and until their successors are elected and qualified, and that the General Election next preceding the expiration of the terms of office of the members of said County Commission, there shall be elected by the qualified electors of the entire County a member from each of the said districts, who shall be a resident of said district and who shall hold office for a period of four years and until his successor is likewise elected and qualified.

Section 3½. That the Chairman of the County Commission of Russell County shall execute bond in favor of the County in the sum of \$3,500.00 and the other two Commissioners of said County Commission shall execute bond in the sum of \$3,000.00 each before assuming the duties of their said office.

Section 4. That at the first meeting of said County Commission held after the appointment of the members thereof, the said County Commission shall choose from its members a Chairman of said County Commission for Russell County, who shall hold office as Chairman at the pleasure of the Commission.

Section 5. Should any vacancy occur upon the County Commission, such vacancy shall be filled by appointment by the Governor for the unexpired term, and the appointee shall be a resident of the district which he is appointed to represent, on said County Commission.

Section 6. The regular terms of said County Commission shall be held at the County Seat on the first Wednesday in January, April, July, and October of each year and as provided by law, and such special and adjourned terms as the said County Commission or a majority thereof may deem necessary and proper. Notices of all special meetings shall be given by the Chairman of the County Commission in writing or by publication in some newspaper published in Russell County for five days prior to such meeting. If given in writing by the Chairman, the same shall be served on each member then within the County, five days before said meeting.

Section 7. That said County Commission shall have all the jurisdiction and powers which are now or may hereafter by law, be vested in County Commissions of the State, or Board of Revenue, or other governing bodies of like kind, and the several members of said County Commission for Russell County shall respectively perform all duties and services and render all the powers which are or may be required by law of the members of County Commissions, or Board of Revenue, or other governing bodies of like kind. That all general laws hereafter enacted by the Legislature of Alabama in relation to the jurisdiction, powers, authority of duties of County Commissions in this State not in conflict

with the provisions of this act, shall apply to the said County Commission for Russell County, except so much as the said general laws as may relate to the mode of selection of said County Commissioners, provided that this act shall not be construed to impair the jurisdiction and authority of the said County Commission. The County Commission shall have control of all the property belonging to the County, and may, by an order to be entered on its minutes, direct a disposal of any real property, which can be lawfully disposed of and direct the Chairman of said County Commission to make titles thereto; and a conveyance made by the said Chairman in accordance with such order invests the grantee with the title of the County. Each member of said County Commission shall supervise all road work in his district, inspect all roads in his said district, and shall at each general or special meeting of said County Commission report to said Commission the progress, repair, and maintenance condition of the roads in his respective district.

Section 8. That the Chairman of said County Commission shall sign all minutes of the proceedings of the County Commission and shall sign all warrants drawn upon the county Treasury or County Depository, all orders for the payment of disbursements of the money or funds of the County. It shall be the duty of the said Chairman of said County Commission in said County to collect and receipt for all road tax and perform all other duties in connection therewith as are now required by law of other officials. It shall be the duty of the said Chairman of the said County Commission to receive and prepare the business and obtain information for the sessions of said County Commission and to see to the execution of all orders of said County Commission. The Chairman of the said County Commission shall issue all notices required to be given by the County Commission and by law and generally to do and perform such duties and matters as may be required of him by said County Commission, and to see that the duties imposed upon the members of the County Commission by Section 7 of this act are faithfully and diligently enforced.

Section 9. As compensation for their services the Chairman shall receive three thousand six hundred dollars (\$3,600) and every other member of the County Commission shall receive three thousand dollars (\$3,000) per annum, payable in twelve equal monthly installments out of the County Treasury or County Depository, and from such funds of the County as may legally be subject to the payment of such salaries and as in the opinion of said County Commission said salaries should be paid out of.

Section 10. That within seven days from the appointment of said members of said County Commission as hereinbefore provided, said members so appointed shall meet and organize said County Commission. And said County Commission shall transact such business as is proper and necessary at such meetings.

Section 11. The Court of County Commissioners of Russell County which is herein and hereby abolished, shall deliver to the said County Commission for Russell County at its first meeting as provided for in Section 10 hereof, all books, records, accounts, funds, and in fact all property of every kind and character held by them as officials for the County of Russell, or for the use of said County.

Section 12. That said County Commission shall appoint a Clerk of the County Commission whose duties shall be to keep the minutes and make a record of the same, to keep a record of all claims filed against the County and all claims ordered paid by the said County Commission, keeping such minutes and proceedings in well bound volumes provided for that purpose, and to generally do and perform all acts and services in and about the duties of and proceedings of said County Commission as he or she, may be directed to do by said County Commission, or by law. For said services said Clerk so appointed shall receive a sum as shall be termed reasonable and ordered by said County Commission, to be

paid out of the funds of the said County. Said Clerk so appointed shall hold office for one year or until his successor is appointed and qualified.

Section 13. All books, office equipment, furniture and fixtures and supplies required to be furnished by the County to the different offices of the County shall be purchased by the County Commission, and each officer of the County in need of the above items or other supplies required by law in the operation of their office shall make requisition for the same in writing to the County Commission. And no office shall contract for the purchase of supplies and charge them to the County except as hereinabove provided for.

Section 14. That the Court of County Commissioners of Russell County to be and the same is hereby abolished.

Section 15. This act shall become effective immediately upon its approval by the Governor or upon its becoming a law.

Section 16. That Act No. 33, H. B. 239, approved May 30, 1945, which established the Court of County Commissioners for Russell County (Local Acts of 1945, pp. 40-43) and all other laws and parts of laws, general, local and special, in conflict with the provision of this act, be and the same are hereby repealed.

Section 17. Should any clause, section, or provision of this act be declared unconstitutional, the same shall not affect the remaining sections, clauses, or provisions thereof.
1-8-15-22—4T.

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Harold E. Poor, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Phenix City Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1949.

HAROLD E. POOR, SR.

Sworn to and subscribed before me Aug. 10, 1949.

J. S. BURCH,
Judge of Probate.

Also:

By Messrs. Coburn, Barnett and Rogers:

H. 1005. To authorize the County Board of Education of the County or the City Board of Education of a city in any county in which a special sales tax, gross receipts tax or use tax is levied by local act of the Legislature for public school purposes to issue and sell interest bearing warrants with principal and interest to be paid from the revenue arising from such special taxes and allocated to the issuing board under such local act of the Legislature, and to authorize such board to pledge such revenue to the payment of the principal of and the interest on such warrants.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1044, 1055, 1051, 1076, 1078, 1079, 1081, 1077, 1067, 1068, 1072, 1073, 1083, 1069, 1075, and 1005. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request the Senate to return to the House the bill:

By Mr. Thompson (Crenshaw):

H. 625. To amend Section 152 of Title 41, Chapter 4, Article 1, of the Code of Alabama of 1940 which relates to amounts of salaries.

for further consideration by the House.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Allen the Senate acceded to the request of the House for the return thereto of the bill, H. B. 625, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Snodgrass:

H. J. R. 138. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two Houses adjourn today, they adjourn to meet on Tuesday, August 23, 1949.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 138, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

At 12:05 P. M. Mr. Russell moved that further reading of the Journal of yesterday be dispensed with and on objection of Mr. Patterson, the Secretary continued with the reading at length of the Journal of yesterday.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 608. To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

Also:

S. 465. To amend Section 111 of Title 17 of the 1940 Code of Ala-

bama, as amended, which relates to the time of opening and closing polls where voting machines are used.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Adams (Jefferson) and Thompson (Crenshaw):

H. 868. To facilitate vehicular traffic between the northern and southern sections of the state by providing for the construction, operation and maintenance of a turnpike from a point on the Tennessee line to a point on the Florida line, providing for the creation of the Alabama Turnpike Commission, and conferring powers and imposing duties on the commission; authorizing the issuance of turnpike revenue bonds of the state, payable solely from tolls and taxes on sales of gasoline by stations on the turnpike, to pay the cost of such turnpike; providing that no debt of the state shall be incurred in the exercise of any of the powers granted by this Act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such turnpike shall become free; providing for condemnation; granting certain powers and authority to political subdivisions and agencies of the state to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 868. To the Committee on Public Roads and Highways.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Ganey, Thomas and Lovelace:

H. J. R. 139. By reason of the recent tragic and untimely death of Margaret Mitchell, author of "Gone with the Wind"; in recognition of her priceless worth to the South and the Nation for her faithful and dramatic portrayal of the true heart-beat of the South during its momentous struggle for existence; and in appreciation of her virtues of modesty, simplicity and courage displaying Southern womanhood at its highest and best,

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING:

1. That we deeply deplore the tragic loss of this great woman from our midst.

2. That we shall ever hold her in remembrance as one who set a high example of great and true service to her country.

3. That a copy of this resolution be sent to her family, a copy to the Senate and House of Representatives of Georgia, and a copy to His Excellency, the Honorable Herman Talmadge, Governor of Georgia.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cater, the rules were suspended and the resolution, H. J. R. 139, set out in the foregoing Message from the House, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 582. To fix the compensation of the Judge of Probate of Montgomery County, Alabama, and to regulate the payment of same, and to provide for clerical help and other assistance to said Judge of Probate, and the fixing of their compensation and paying the same, and to provide for ex-officio services and for other contingencies of said Judge of Probate, and to provide for an ex-officio clerk of the Board of Registrars, and to require the Judge of Probate to pay into the County Treasury of said County all costs and charges of Courts, fees and commissions authorized by law to be collected by said Judge of Probate as other moneys belonging to said county are paid.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cater, the Senate concurred in and adopted the following House amendment to the bill, S. B. 582, the title of which is set out in the foregoing Message from the House.

AMENDMENT TO SENATE BILL 582

Amend Section 1 of S. B. 582 by inserting after the words "One chief clerk at" in the first sentence the words "not exceeding"; by inserting after the words "three clerks at" in the same sentence the words "not exceeding"; and by inserting after the words "seven clerks at" in the same sentence the words "not exceeding".

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Barrett

Cater
Clayton
Coleman

Fite
Colson
Henderson

Hooton
Howle
Lamberth

Lowe	Patton	Russell	Swift	
Mize	Perry	Summerlin	Wright	
Patterson	Quarles			—21
<i>Nays:</i>				—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Thompson (Crenshaw):

H. 617. To amend Section 388 and Section 390 of Article 2, Chapter 67, Title 14, of the Code of Alabama, of 1940.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 617. To the Committee on Public Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. McGowin:

H. 943. Relating to highways: To create and establish within the State Highway Department the Highway Advisory Board; providing for the board's membership; defining the board's function, authority, and duties; and fixing the members' terms and compensation.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 943. To the Committee on Public Roads and Highways.

At 12:15 P. M. Mr. Patterson moved that further reading of the Journal of yesterday be dispensed with and on objection of Mr. Fite, the Secretary continued with the reading at length of the Journal of yesterday.

At 1:45 P. M., the reading at length of the Journal of yesterday was completed.

RESOLUTION

Mr. Patton offered the following Senate Joint Resolution, to-wit:

S. J. R. 73. Be it resolved by the Senate, the House concurring, that the following Senate Bills which have previously been enacted in this session of the Legislature be named as follows:

I. That Senate Bill 4 be named the Patton-Thagard Bill.

II. That Senate Bill 6 be named the Patton-Russell, and Thagard Bill.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Thompson (Crenshaw):

H. 134. To make an appropriation for the support of the Council of State Governments.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 134. To the Committee on Finance and Taxation.

MOTION IN WRITING

Mr. Russell offered the following motion in writing, which said motion was filed with the Secretary at 11:25 o'clock this morning:

Having voted with the majority on the preceding Legislative Day on the adoption of the substitute to House Bill 52, I now move that the vote by which said substitute was adopted be reconsidered.

Mr. Hardwick raised the Point of Order that Mr. Russell's motion to reconsider was out of order, and the Chair sustained the Point of Order raised by Mr. Hardwick.

Mr. Lowe moved that the Senate appeal from the Ruling of the Chair, and the Ruling of the Chair on this motion was not sustained by the Senate.

Yeas 15; Nays 17.

Yeas:

Messrs.:	Clayton	Hardwick	Lamberth
Allen	Coleman	Harvey	Langan
Barrett	Fite	Howle	Mize
Burnside	Gaither	Kimbrell	Summerlin

—15

Nays:

Messrs.:	Golson	Lowe	Quarles
Boutwell	Gulledge	Patterson	Russell
Bridges	Henderson	Patton	Swift
Cater	Hughes	Perry	Wright
Glover	Kendall		

—17

Mr. Coleman raised the Point of Order that Mr. Russell was not eligible to make the motion to reconsider said vote, as he failed to vote with the majority on the adoption of said substitute.

Mr. Lowe offered the following motion in writing:

I move that the Journal for the 31st Legislative Day be amended to show that Senator Russell from Morgan voted in the affirmative on adoption of the substitute to House Bill 52.

Which was adopted.

Yeas 26; Nays 6.

Yeas:

Messrs.:	Clayton	Hooton	Patton
Allen	Gaither	Hughes	Perry
Barrett	Glover	Kendall	Quarles
Boutwell	Golson	Langan	Summerlin
Bridges	Gulledge	Lowe	Swift
Burnside	Hardwick	Mize	Wright
Cater	Henderson	Patterson	

—26

Nays:

Messrs.:	Fite	Howle	Lamberth
Coleman	Harvey	Kimbrell	

—6

And in accordance with said motion, the Journal of the Senate for the Thirty-first Legislative Day was corrected accordingly, and thereupon the Journal for the Thirty-first Legislative Day was approved by the Senate.

The question then recurred on the motion of Mr. Russell to reconsider the vote by which the substitute for H. B. 52 was adopted on the last Legislative Day and which substitute is set out in the Journal of the Senate for the Thirty-first Legislative Day and said vote was reconsidered.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Gaither	Howle	Patterson
Allen	Glover	Hughes	Patton
Barrett	Golson	Kendall	Quarles
Boutwell	Gulledge	Kimbrell	Russell
Bridges	Hardwick	Lamberth	Summerlin
Burnside	Harvey	Langan	Swift
Cater	Henderson	Lowe	Wright
Fite	Hooton	Mize	

—30

Nays: Messrs. Clayton and Coleman

—2

On motion of Mr. Patton the substitute for the bill, H. B. 52, was then laid on the table.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson
Allen	Glover	Hughes	Patton
Barrett	Golson	Kendall	Perry
Boutwell	Gulledge	Kimbrell	Quarles
Bridges	Hardwick	Lamberth	Russell
Burnside	Harvey	Langan	Summerlin
Cater	Henderson	Lowe	Swift
Clayton	Hooton	Mize	Wright
Coleman			

—32

Nays:

—0

MOTION TO RECONSIDER VOTE

Mr. Hooton moved that the Senate reconsider the vote by which it acceded to the request of the House for the return thereto of H. B. 625.

And on motion of Mr. Patton the motion of Mr. Hooton to reconsider was laid on the table.

Yeas 20; Nays 11.

Yeas:

Messrs.:	Coleman	Henderson	Perry
Allen	Gaither	Hughes	Quarles
Boutwell	Glover	Lowe	Russell
Bridges	Golson	Patterson	Swift
Cater	Gulledge	Patton	Wright
Clayton			

—20

Nays:

Messrs.:	Hardwick	Howle	Lamberth
Barrett	Harvey	Kendall	Langan
Fite	Hooton	Kimbrell	Mize

—11

REPORT FROM RULES COMMITTEE

Mr. Swift, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted upon the

following Message from the Governor proposing an amendment to the bill, H. B. 941, and ordered same returned to the Senate with a recommendation that the Senate concur in the executive amendment and repass the bill, to-wit:

Message from the Governor proposing an amendment to the bill, H. B. 941.

CONSIDERATION OF GOVERNOR'S MESSAGE

The Senate then proceeded to further consideration of the Message from His Excellency, the Governor, which message is set out at length in the Journal of the Senate for the Thirty-first Legislative Day, proposing an amendment to the bill:

H. 941. To amend Section 1 of Act 177 approved June 17, 1943, as amended by Section 1 of Act 89, approved July 7, 1947, which fixes the compensation of the Sheriff of Montgomery County and provides for help and assistants and other expenses in the office of the Sheriff, by increasing the allowance for help and assistants.

And on motion of Mr. Cater, the Senate concurred in and adopted the executive amendment to the bill, H. B. 941.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize
Allen	Fite	Howle	Patterson
Barrett	Gaither	Hughes	Patton
Boutwell	Glover	Kendall	Perry
Bridges	Golson	Kimbrell	Quarles
Burnside	Gulledge	Lamberth	Russell
Cater	Harvey	Langan	Swift
Clayton	Henderson	Lowe	Wright

—31

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Gaither	Hughes	Patton
Allen	Golson	Kendall	Perry
Barrett	Gulledge	Lamberth	Quarles
Boutwell	Harvey	Langan	Russell
Burnside	Henderson	Lowe	Summerlin
Cater	Hooton	Mize	Swift
Clayton	Howle	Patterson	Wright

—27

Nays:

—0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Inzer and Roberts:

H. 1058. To make an appropriation to the State Training School for Girls.

Also:

By Mr. Adams (Jefferson):

H. 707. To amend Sections 29 and 42 of Title 8 of the Code of Alabama of 1940.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 1058. To the Committee on Finance and Taxation.

H. B. 707. To the Committee on Fish and Game.

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 74. Be it Resolved by the Rules Committee that House Bill 52 be now engrossed and read a third time.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 465. To amend Section 111 of Title 17 of the 1940 Code of Alabama, as amended, which relates to the time of opening and closing polls where voting machines are used.

Also:

S. 582. To fix the compensation of the Judge of Probate of Montgomery County, Alabama, and to regulate the payment of same, and to provide for clerical help and other assistance to said Judge of Probate, and the fixing of their compensation and paying the same, and to provide for ex-officio services and for other con-

tingencies of said Judge of Probate, and to provide for an ex-officio clerk of the Board of Registrars, and to require the Judge of Probate to pay into the County Treasury of said County all costs and charges of Courts, fees and commissions authorized by law to be collected by said Judge of Probate as other moneys belonging to said county are paid.

Also:

S. 608. To alter the corporate limits of the City of Tuscaloosa, Alabama, and to rearrange and define the boundaries thereof.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committees on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Ingalls:

H. 708. To amend Section 3 of Act No. 115, S. B. 121, approved June 16, 1945, entitled "An Act To promote the rehabilitation of Alcoholics and to make an annual appropriation for this purpose" (General Acts of 1945, p. 108).

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 708. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Givhan, Garrett and Thompson (Pike):

H. 978. To amend Sections 1 and 12 of Act 515, approved July 9, 1945, as amended by Act 606, approved October 13, 1947, which establishes a State Employees' Retirement System.

Also:

By Messrs. Adams (Jefferson) and Morring:

H. 428. To provide state aid in the promotion of bona fide agricultural fairs and to make an appropriation for that purpose.

Also:

By Messrs. Givhan, Larkins, and Garrett:

H. 828. To amend Section 6 of Act No. 694 of the Legislature of Alabama of 1947 entitled "An Act To provide for the arrest and eradication of contagious and infectious diseases among animals; to authorize quarantine measures and the seizure and disposition of infected or exposed animals, and all infected real and personal property; to provide for the payment of indemnity to owners of seized animals or property; to authorize rules and regulations having the full force and effect of law; to provide for a penalty for violation hereof; and to provide an appropriation hereof," approved October 9, 1947; to provide for the annual salary of the State Veterinarian; to repeal all laws or parts of laws in conflict with this Act; and to provide for the effective date of this Act.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 978. To the Committee on Judiciary.

H. B.'s 428 and 828. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Lovelace, Dobbs (Elmore), Garrett, Brannan and Nettles:

H. 395. To appropriate the sum of \$370,000.00 to the Department of Corrections and Institutions out of any moneys in the State Treasury not otherwise appropriated and to provide for the expenditure thereof.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 395. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Lovelace:

H. J. R. 141. Be it resolved by the House, the Senate concurring, that the following Senate Bills which have previously been enacted in this session of the Legislature be named as follows:

I. That Senate Bill 4 be named the Patton-Thagard Bill.

II. That Senate Bill 6 be named the Patton-Russell, and Thagard Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 141, which is set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has again passed the following bill:

H. 625. To amend Section 152 of Title 41, Chapter 4, Article 1, Code of Alabama 1940.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 625. To the Committee on Judiciary.

FURTHER CONSIDERATION OF H. B. 52

BILL ON THIRD READING

The Senate then proceeded to further consideration of the bill:

H. 52. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

Mr. Hardwick offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR H. B. NO. 52

A BILL TO BE ENTITLED AN ACT

To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1950, and September 30, 1951, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified or so much thereof as may be necessary:

FROM THE GENERAL FUND

I. EXECUTIVE:

THE GOVERNOR'S OFFICE, for the
fiscal year ending September 30,
1950:

For the salary of the Governor.....	\$ 6,000.00
For other salaries.....	39,600.00
For other expenses.....	6,000.00
For equipment purchases.....	500.00
For Legal Counsel, as set out in Act No. 116, 1949 Legislature.....	5,700.00
Division of Records and Reports.....	9,000.00

Total	66,800.00
-------------	-----------

For the fiscal year ending September
30, 1951:

For the salary of the Governor.....	6,000.00
For other salaries.....	39,600.00
For other expenses.....	6,000.00
For equipment purchases.....	3,500.00
For Legal Counsel, as set out in Act No. 116, 1949 Legislature.....	5,700.00
Division of Records and Reports.....	9,000.00

Total	69,800.00
-------------	-----------

For the Governor's Contingent Fund.....	25,000.00
For the Governor's Emergency Fund.....	100,000.00

(This appropriation entitled "Governor's Emergency Fund" is the appropriation contemplated in Section 105, Title 55 of the 1940 Code of Alabama and shall be the only amount appropriated and the total amount expended under the provisions of said Section.

II. LEGISLATIVE:

For the salaries of the Clerk of the House and the
Secretary of the Senate and for other salaries

REGULAR SESSION

1989

and other expenses for the fiscal year ending September 30, 1950, and for the salaries and expenses of the Legislature for extraordinary sessions	100,000.00
---	------------

For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for any expenses for any Legislative sessions for the fiscal year ending September 30, 1951.....	600,000.00
---	------------

For printing Legislative Acts and Journals for the fiscal year ending September 30, 1950.....	40,000.00
---	-----------

III JUDICIAL:

(1) THE SUPREME COURT:

For the salaries of the Chief Justice and six Associate Justices.....	66,500.00
For the salary of the Clerk of the Court	4,500.00
For the salary of the Court Reporter..	4,800.00
For other salaries.....	22,320.00
For other expenses.....	6,880.00

Total	111,100.00
-------------	------------

For the Supreme Court Library Fund.....	3,500.00
---	----------

For the salary of supernumerary judges, estimated	15,000.00
---	-----------

(2) THE COURT OF APPEALS:

For salaries of the three judges.....	27,000.00
For other salaries.....	11,340.00
For other expenses	3,150.00

Total	41,490.00
-------------	-----------

(3) THE CIRCUIT COURTS:

For the salaries of the forty-eight judges of the circuit courts	288,000.00
For the travel expenses of circuit judges.....	7,500.00
For salaries and travel expenses of special judges, estimated	3,000.00
For salaries of twenty-eight circuit solicitors	134,400.00
For salary of the deputy circuit solicitor of the Bessemer Division of the 10th Judicial Circuit....	4,800.00
For the salary of the assistant deputy solicitor of the Bessemer Division of the 10th Judicial Circuit	3,600.00
For salary of the 1st, 2nd, and 3rd deputy solicitor of the Birmingham	

Division of the 10th Judicial Circuit; \$4,200.00 each.....	12,600.00	
For salaries of the deputy circuit solicitors of the 13th Judicial Circuit.....	5,400.00	
For the salary of the deputy circuit solicitor of the 15th Judicial Circuit.....	4,200.00	
Total		165,000.00
For travel expenses of circuit solicitors.....		6,000.00
For telephone service, stationery, stamps and necessary equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants.....		10,000.00
(4) COURT REPORTERS:		
For the compensation of the thirty-three circuit court reporters, 1947 Acts, page 289.....		39,600.00
IV. CONSTITUTION OFFICES:		
(1) OFFICE OF THE ATTORNEY GENERAL:		
For the salary of the Attorney General	5,700.00	
For other salaries.....	84,300.00	
For other expenses.....	12,500.00	
Total		103,500.00
(2) OFFICE OF THE STATE AUDITOR:		
For the salary of the State Auditor.....	4,800.00	
For other salaries.....	23,820.00	
For other expenses.....	810.00	
Total		29,430.00
(3) OFFICE OF THE SECRETARY OF STATE:		
For the salary of Secretary of State.....	4,800.00	
For other salaries.....	14,220.00	
For other expenses.....	2,500.00	
Total		21,520.00
(4) OFFICE OF STATE TREASURER:		
For the salary of the State Treasurer.....	4,880.00	
For other salaries.....	44,500.00	
For other expenses and compensation of fiscal agents.....	10,350.00	
Total		58,500.00

V. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:

(1) AGRICULTURAL CENTER BOARD:

For salaries, maintenance and upkeep incident to the operations of the livestock coliseum at Montgomery, Alabama for the fiscal year ending September 30, 1951.....	45,000.00
---	-----------

(2) DEPARTMENT OF ARCHIVES AND HISTORY:

For the fiscal year ending September 30, 1950:	
--	--

For the salary of the Director.....	4,200.00
For other salaries.....	38,420.00
For other expenses.....	9,000.00
For expenses of publication of the Alabama Historical Quarterly.....	1,800.00
For printing of Statistical Register.....	7,000.00
Total	60,420.00

For fiscal year ending September 30, 1951:	
--	--

For the salary of the Director.....	4,200.00
For other salaries.....	38,420.00
For other expenses.....	9,000.00
For expenses of publication of the Alabama Historical Quarterly.....	1,800.00
Total	53,420.00

Part (2½) Public Library Service Division:

For salaries	23,400.00
For other expenses.....	10,800.00
For equipment	1,800.00
For books	45,000.00
Total	81,000.00

(3) DEPARTMENT OF COMMERCE:

For the salary of the Director.....	5,700.00
For other salaries.....	85,500.00
For other expenses.....	31,365.00
Total	122,565.00

(4) DEPARTMENT OF EXAMINER OF PUBLIC ACCOUNTS:

For salary of Chief Examiner.....	5,700.00
-----------------------------------	----------

For other salaries and expenses.....	358,800.00	
Total		364,500.00
(5) DEPARTMENT OF FINANCE:		
Director's Office:		
For salaries	12,240.00	
For other expenses.....	3,960.00	
Total		16,200.00
Division of the Budget:		
For salaries	12,150.00	
For other expenses.....	1,350.00	
Total		13,500.00
Division of Control and Accounts:		
For salaries	62,100.00	
For other expenses.....	13,950.00	
Total		76,050.00
Division of Local Finance:		
For salaries	6,480.00	
	270.00	
Total		6,750.00
Division of Service:		
For salaries	54,000.00	
For other expenses.....	58,500.00	
Total		112,500.00
Division of Purchases and Stores:		
For salaries	54,000.00	
For other expenses.....	9,000.00	
Total		63,000.00
Division Legal:		
For salaries	7,218.00	
For other expenses.....	882.00	
Total		8,100.00
For office furniture and equipment for the Executive, Administrative and Judicial Departments.....	13,500.00	

(6) DEPARTMENT OF HEALTH:

For salary of the State Health Officer	7,500.00	
For other salaries and expenses	329,940.00	
For contributions to County Health Units	285,660.00	
For subsidy to counties for the treatment of tuberculosis	270,000.00	
For study and treatment of cancer	76,500.00	
For Blood Testing for Syphilis (1947 Acts, Page 71)	112,500.00	
For Tuberculosis Testing (1947 Acts, p. 105)	67,500.00	
For the administration of Tuberculosis Hospitals	22,500.00	
For Hospital Planning (1945 Act No. 330, as amended): for salaries	9,000.00	
for other expenses	4,500.00	
Total		\$1,185,600.00

(7) DEPARTMENT OF INDUSTRIAL RELATIONS:

For salaries	76,500.00	
For other expenses	28,800.00	
Total		105,300.00

(8) DEPARTMENT OF REVENUE:

For transfer to Administrative Division	10,000.00	
For expense incident to Equalization Boards	75,000.00	
For collection of Estate and Inheritance Tax:		
for salaries	2,880.00	
for other expenses	120.00	
	3,000.00	
Total		88,000.00

MILITARY DEPARTMENT:

For salaries	62,775.00	
For other expenses	45,000.00	
For Quarterly Allowances	135,000.00	
For care and maintenance of armories	87,525.00	
For active military service	76,500.00	
Total		406,800.00

(10) PERSONNEL DEPARTMENT:

For the salary of the Director	5,000.00	
For other salaries	36,000.00	

For other expenses.....	11,250.00	
Total		52,250.00
(11) STATE BOARD OF ADJUST- MENT:		
For salaries	3,240.00	
For awards by the Board estimated...	18,000.00	
Total		21,240.00
(12) ALABAMA STATE PLANNING BOARD:		
For salaries	69,500.00	
For other expenses.....	21,000.00	
Total		90,500.00
(13) STATE TOXICOLOGIST:		
For the salary of the State Toxicolo- gist	4,000.00	
For other salaries.....	23,400.00	
For other expenses.....	4,500.00	
Total		31,900.00
(14) STATE LABOR DEPART- MENT:		
For the salary of the Director.....	5,000.00	
For other salaries.....	22,500.00	
For other expenses.....	7,650.00	
Total		35,150.00
(15) LEGISLATIVE REFERENCE SERVICE:		
For salaries	27,000.00	
For other expenses.....	4,500.00	
Total		31,500.00
For Legislative Council.....	2,250.00	
(16) DEPARTMENT OF VETERANS AFFAIRS:		
For salaries and other expenses.....	325,000.00	
(17) EMPLOYEES RETIREMENT SYSTEM:		
For the fiscal year ending September 30 1950	381,142.00	

EMPLOYEES RETIREMENT SYSTEM, for the fiscal year ending September 30, 1951..... 418,227.00

(17½) Employees Special Pension Fund 20,000.00

(18) STATE SECURITIES COMMISSION (As provided in 1943 Acts of the Legislature, Act No. 498:
For salaries and expenses..... 5,400.00

VI. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES:

(1) DEPARTMENT OF CONSERVATION:

Division of Game, Fish and Seafoods:
For salaries and for other expenses incident to the preservation, development, and improvement of the State's oyster and oyster beds and shrimp 40,500.00

Division of State Parks, monuments and Historical Sites:
For salaries and other expenses incident to the operation and maintenance of State Parks and the Division of State Parks, Monuments and Historical Sites 45,000.00

For salaries and other expenses incident to the operation and maintenance of State Parks and the Division of State Parks, Monuments and Historical Sites, conditional upon the condition of the Treasury and approval of the Governor..... 45,000.00

Division of Forestry:
For salaries and other expenses incident to the operation of the Division of Forestry; and for administration of Department of Conservation 72,000.00

Division of State Lands:
For salaries and other expenses incident to the operation of the Division of State Lands; and for ad-

ministration of Department of Conservation	22,500.00
--	-----------

Total	
-------------	--

(The above appropriations to the Department of Conservation are in addition to other appropriations herein provided.)

(2) GEOLOGICAL SURVEY:

For the salary of the State Geologist	4,800.00
For other salaries	34,920.00
For other expenses	39,510.00
For matching Federal funds for the investigation of the water resources of the State	11,250.00

Total	90,480.00
-------------	-----------

(3) STATE SOIL CONSERVATION COMMITTEE:

For administration and other expenses incident to organization of soil conservation districts	4,500.00
---	----------

Total	4,500.00
-------------	----------

VII. EDUCATION:

(1) INTEREST ON ENDOWMENTS:

For interest on Alabama College endowment, estimated	39,019.78
For interest on Alabama Polytechnic Institute endowment	20,280.00
For interest on University of Alabama endowment	61,000.00
For interest on Grove Hill endowment	600.00
For interest on Public School Fund Endowments:	
Interest on 16th Section Lands—	
Estimated	158,495.81
Interest on School Indemnity Lands—Estimated	25,000.00
Interest on Valueless 16th Section Lands	5,825.47
Interest on Surplus Revenue	26,763.47
Interest on James Wallace Fund	275.25

Total, estimated	216,360.00
------------------------	------------

(2) Alabama Special Educational

Trust Fund 1,750,000.00

Total 1,750,000.00

VIII. CHARITIES, HOSPITALS, AND
CORRECTIONS:

(1) For the administration, operation, and maintenance of the convict system and for the payment of criminal court costs (This appropriation is in addition to other appropriations herein provided.).....

423,900.00

Total 423,900.00

(2) DEPARTMENT OF PUBLIC
WELFARE:

For salaries and expenses, for juvenile wards, for public welfare, for old age assistance, and for social security

617,985.00

For additional old age assistance..... 675,415.80

For the Department of Public Welfare

2,160,000.00

For the sixty-seven counties of the State to be used for public welfare in cooperation with the State Department of Public Welfare or the Federal Government

1,440,000.00

(One-half of the above appropriations to the counties shall be distributed proportionately among the sixty-seven counties of the State according to the population of said counties as shown by the last Federal census; and one-half of the appropriation shall be divided and distributed equally among the sixty-seven counties of the State.)

Total 4,893,400.80

(The above appropriations for the Department of Public Welfare are in addition to other appropriations herein set out.)

(3) ALABAMA BOYS INDUSTRIAL
SCHOOL:

For the maintenance, support, insurance, and upkeep of the Alabama Boys Industrial School, an

amount to be drawn quarterly in advance by the treasurer of the Alabama Boys Industrial School, and to be distributed as directed by the Board of Trustees.....	145,500.00
(Any balance from the above appropriation to the Alabama Boys Industrial School at the end of any fiscal year shall remain in the hands of the treasurer of said institution and shall not revert to the State Treasury.)	
(4) ALABAMA INDUSTRIAL SCHOOL FOR NEGROES:	
For maintenance, support, insurance and upkeep of the Alabama Industrial School for Negroes, an annual amount to be drawn quarterly in advance by the treasurer of the Alabama Industrial School for Negroes and to be disbursed as directed by the Board of Trustees.....	67,500.00
(Any balance from the above appropriations to the Alabama Industrial School for Negroes at the end of any fiscal year shall remain in the hands of the treasurer of said institution and shall not revert to the State Treasury.)	
(5) ALABAMA INSANE HOSPITALS:	
For the support, maintenance, and repair of Alabama Insane Hospitals, an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$9.00 per week for each patient, estimated for the fiscal year ending September 30, 1950.....	2,934,360.00
For the fiscal year ending September 30, 1951.....	3,027,960.00
(6) PARTLOW STATE SCHOOL FOR MENTAL DEFICIENTS:	
For the support, maintenance and repair of the Partlow State School for Mental Deficients, an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$9.00 per week for each patient, estimated	
For the fiscal year ending September 30, 1950.....	607,500.00
For the fiscal year ending September 30, 1951.....	667,125.00
(The above appropriations to the Alabama Insane Hospitals and the Partlow State School for Mental Deficients shall be payable and are to be disbursed as provided in Title 45, Sections 189 to 230, inclusive, of the 1940 Code of Alabama and shall continue and the unexpended balances thereof shall not revert to the State treasury at the end of any fiscal year.)	

REGULAR SESSION

1999

(7) STATE TRAINING SCHOOL FOR GIRLS:

For the maintenance, support, insurance and upkeep of the State Training School for Girls, an amount to be drawn quarterly in advance by the treasurer of the Board of the State Training School for Girls and to be disbursed as directed by said Board 71,280.00

(The appropriation herein made to the State Training School for Girls shall be payable and is to be disbursed as provided in Title 45, Sections 231 and 252, inclusive, of the 1940 Code of Alabama and shall continue and the unexpended balance thereof shall not revert to the State Treasury at the end of any fiscal year.)

(8) REMOVAL OF PRISONERS:

For expenses incident to removal of prisoners, estimated 9,000.00

(9) FEEDING OF PRISONERS:

For expenses of feeding prisoners in county jails, estimated 247,500.00

(10) ARREST OF ABSCONDING FELONS:

For expenses incident to the arrest of absconding felons 900.00

(11) BOARD OF PARDONS AND PAROLES:

For salaries of board members 15,000.00
For other salaries 117,000.00
For other expenses 27,000.00

Total 159,000.00

IX. DEBT SERVICE:

(1) For interest on Class A. Renewal and Class C. Renewal and Funding Renewal Bonds, for the fiscal year ending September 30, 1950 329,505.00

For the fiscal year ending September 30, 1951 319,290.00

(2) For principal on outstanding Harbor Improvement Bonds 250,000.00

(3) For interest on outstanding Harbor Improvement Bonds for the fiscal year ending September 30, 1950 277,218.75

(4) For interest on outstanding Harbor Improvement Bonds for the fiscal year ending September 30, 1951 266,531.25

(5) For interest on Spanish American War Veterans Fund, estimated 294.86

X. MISCELLANEOUS:

(1) For Bang's Disease Control as provided for under Act 410, General Acts of 1947, page 298	90,000.00
(2) Automatic Appeal Expense as provided in 1943 Acts of Legislature, Page 217, estimated	5,400.00
(3) For Spanish War Veterans encampment	900.00
(4) For advertising lands for tax sale	900.00
(5) For civil court costs in connection with ad valorem tax assessment appeals	450.00
(6) For mailing tax notices, estimated	1,800.00
(7) For registration of voters, estimated	90,000.00
(8) For expense Governor's Proclamations, estimated	13,500.00
(9) For distribution of Public documents, estimated	900.00
(10) First White House of the Confederacy, for salaries and other expenses	2,250.00
(11) Temporary Clerk Fund (Maximum expenditure pursuant to Section 175, Title 55, 1940 Code)	25,000.00
(12) Rental of State Offices (Maximum expenditure pursuant to H. B. 185, 1949 Legislature.)	22,500.00
(13) Purchase Code Pocket Supplement for the fiscal year ending September 30, 1950	18,000.00
(14) For payment of Attorneys fees in indigent capital cases (as provided in 1947 Acts, page 61)	22,500.00
(15) For printing of State and County Privilege licenses	7,500.00
(16) Reward Sheriffs as provided in the 1945 Acts of the Legislature, Act No. 389	900.00
(17) Capitol Building Commission: To provide for the expenditures authorized by Section 365 to 367, inclusive, Title 55, Code of 1940	100,000.00
(18) Cahaba Memorial Board: To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449	500.00
(19) Gorgas Memorial Board: To provide for the expenditures authorized by Act No. 417, 1943 Acts, page 383	2,500.00
(20) LaGrange Historical Board: To provide for the expenditures authorized by Act No. 551, 1943 Acts, page 540	500.00
(21) Richard Pearson Hobson Memorial Board: To provide for the expenditure authorized by Act No. 536, 1943 Acts, page 510	2,500.00
(22) Hog Cholera Serum Fund	45,000.00

FROM FUNDS OTHER THAN GENERAL FUNDS

XI. AERONAUTICS DEPARTMENT:

For the salary of the Director.....	5,700.00
For other salaries.....	41,700.00
For other expenses.....	15,660.00

Total	63,060.00
-------------	-----------

Airports—Aid for airports and airmarking.....	111,000.00
---	------------

The above appropriations shall be paid out of the receipts to the Airports Development Fund as provided in Title 4, Section 20 (31) of the Code of Alabama 1940 and the amounts appropriated herein shall be the maximum expenditure pursuant to said Title 4, Section 20 (31) and shall be subject to the provisions of Article 3, Chapter 4, Title 55 of the 1940 Code.

XII. AGRICULTURE AND INDUSTRIES:

A. ADMINISTRATIVE OPERATIONS:

For salary of Commissioner.....	5,700.00
For other salaries.....	475,000.00
For other expenses.....	220,000.00

Total	700,700.00
-------------	------------

The above appropriation is payable from funds in the Agricultural Fund and shall be expended pursuant to Title 2, Article 4, Chapter 1, of the Code of Alabama 1940 and shall conform to provisions of Article 3, Chapter 4, Title 55, Code of Alabama of 1940.

B. TRANSFER OF FUNDS FROM AGRICULTURAL FUND:

1. Transfer to the Hog Cholera Serum Fund	55,000.00
2. Transfer to the Agricultural Center Board Fund.....	35,000.00
3. Transfer to State Markets Board.....	15,000.00

Total	105,000.00
-------------	------------

The above appropriations to be allocated and expended pursuant to the limitations herein authorized in C and D.

C. HOG CHOLERA SERUM FUND:

For salaries and other expenses.....	55,000.00
--------------------------------------	-----------

Total	55,000.00
-------------	-----------

The above appropriation from the Agriculture Fund shall be expended for the purposes provided in Act No. 370, 1947 Acts, page 257).

D. AGRICULTURAL CENTER

BOARD:

For salaries	15,600.00	
For other expenses	4,400.00	
For awarding of prizes for livestock shows (It is provided, however, that the Agricultural Center Board shall not use any of the appropriation for awarding prizes or premiums except at shows sponsored by it and then only to match an equal amount provided for that purpose by subscriptions of private persons, firms or corporations)	15,000.00	
Total		35,000.00

E. State Markets Board

For salaries	10,000.00	
For other expense	5,000.00	
Total		15,000.00

The appropriations hereinabove set out in C, D, and E shall be the maximum amounts expended thereunder and all expenditures under these appropriations shall conform to the provisions of Article 3, Chapter 4, Title 55 of the Code of Alabama 1940.

F. For the use of the Wiregrass Experiment Station at Headland, there is appropriated from moneys in the Agricultural Fund the sum of 25,000.00 in each of the fiscal years ending September 30, 1950, and September 30, 1951, to be devoted to the payment of salaries and other expenses incidental to conducting experiments and research in developing methods of producing, harvesting, marketing, and processing peanuts and preventing damage to peanut crops.

G. For the payment of expenses and salaries incident to the operation of shipping point inspection of the Department of Agriculture and Industries there is hereby appropriated for each of the fiscal years ending September 30, 1950 and September 30, 1951, the sum of 15,000.00

to be paid out of monies in the Agricultural Fund as provided under Title 2, Article 4, Chapter 1, Code of Alabama 1940, together with all fees and charges collected by the Commissioner of Agriculture and Industries under the provisions of Title 2, Chapter 1, Article 25, Code of Alabama, pursuant to an agreement with the United States Department of Agriculture whereby cooperative Federal State shipping point and terminal market inspection services for the grading and classification of agricultural commodities are performed, and the expenditures hereunder shall conform to the provisions of Article 3, Chapter 4, Title 55, Code of Alabama 1940, as amended.

XIII. ALABAMA REAL ESTATE COMMISSION:

For salaries	10,500.00	
For other expenses	10,000.00	
For equipment purchases	500.00	
<hr/>		
Total		21,000.00

The above appropriation shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Section 300, of the 1940 Code of Alabama, and the amounts appropriated herein shall be the maximum expenditure pursuant to said Title 46, Section 300 and shall be expended subject to the provisions of Article 3, Chapter 4, Title 55, of the 1940 Code of Alabama.

XIV. ALABAMA PUBLIC SERVICE COMMISSION:

For salary of President and two associate commissioners	21,300.00	
For other salaries	81,800.00	
For other expenses	40,600.00	
For equipment purchases	6,300.00	
<hr/>		
Total		150,000.00

The above appropriation to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carriers or motor transportation companies as are now or may be set aside by law to be used by the Commission; but if said fees and taxes do not equal the total amount of \$150,000.00 there shall

not be paid out of the General Fund of the State any amount, but the appropriation for all said salaries and expenses of the Commission and its employees in such event shall be limited to the total amount of all said fees and taxes assigned to the Commissioner's said appropriation. In consideration of the fact that inspection and supervision fees of utilities and transportation companies, constituting the greater part of the funds made available for the salaries and expenses of the Commission and its employees, are payable on the calendar year basis and are payable February first of each year, the State Treasurer shall hold in the State Treasury at the end of each fiscal year on September 30th as much as \$50,000.00 or such part of said sum of \$50,000.00 out of such fees and taxes assigned to this appropriation for the Commission, as may then be on hand, and the same shall be paid out by the State Treasurer as provided by law for all such salaries and expenses of the Commission and its employees during the months of October, November, December, and January. Upon the close of business at the end of each fiscal year of the State, if the balance of the amount of such fees and taxes assigned to provide such appropriation for the Commission, then on hand in the State Treasury, exceeds said sum of \$50,000.00 such excess shall then be covered into the State Treasury to the credit of the General Fund.

XV. DEPARTMENT OF CONSERVATION:

(a) Game, Fish, and Seafoods Division.—As provided in Act No. 230, approved July 9, 1945.

(b) State Parks Division.—As provided in Title 8, Section 183, Code of Alabama 1940, as amended by Act No. 228, approved July 9, 1945.

(c) Forestry Division.—As provided in Title 8, Section 202, Code of Alabama 1940, as amended by Act No. 227, approved July 9, 1945.

(d) State Lands Division.—As provided in Act No. 341, approved July 9, 1945.

Provided that all expenditures under this appropriation shall conform to the provisions of Article 3 of Chapter 4, Title 55, Code of Alabama 1940.

XVI. DEPARTMENT OF PUBLIC WELFARE:

For the State Department of Public Welfare for old age assistance purposes, out of the proceeds from the levy of the one

mill tax for the relief of needy Confederate veterans and their wives, all the surplus or residue thereof after the payment in full of the pensions to Confederate veterans and their wives and other charges against said fund set out in Title 49, Section 50 of the Code of Alabama 1940. In making this appropriation it is hereby declared to be the legislative policy that the Department of Public Welfare expend all the surplus or residue hereby appropriated and all moneys received by it from the Federal government for matching any or all funds expended for Confederate pensions or for matching the surplus or residue hereby appropriated, for old age assistance purposes exclusively, insofar as is possible under existing laws and the rules and regulations of the Federal government and of the Department of Public Welfare in regard thereto, before any part thereof may be expended for any other purposes by the Department of Public Welfare. This section shall not repeal or affect the provisions of Act No. 253 of the Regular session of the Legislature of 1949.

XVII. DEPARTMENT OF CORRECTIONS AND INSTITUTIONS:

For the salary of the Director of Corrections and Institutions, for other salaries, and for other expenses incident to the operation and maintenance of the convict system of Alabama, all receipts from its administration and from labor of the convicts.

XVIII. HIGHWAYS AND BRIDGES:

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay same; and for the compensation of the State Highway Director, for maintenance and construction of roads and bridges, for salaries, and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the Highway Department by virtue of Federal aid.

XIX. PENSIONS:

(1) For Confederate veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows as now provided by law, out of the proceeds from the levy of the one mill tax for the relief of needy Confederate soldiers and sailors and their widows, and in the event the proceeds from said levy are insufficient to pay same, such additional amount as may be necessary for the payment thereof. (2) Pension Commission: For salaries, \$3,300.00; for other expenses, \$580.00, total, \$3,880.00. Provided that the salaries and other expenses of the Pension Commission shall be paid out of the proceeds from the levy of the one mill tax for the relief of needy Confederate veterans and their widows.

XX. PUBLIC SCHOOL FUND:

For the Public School Fund, the amount appropriated from the Special Educational Trust Fund, together with all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258, and 260 of the Constitution of 1901; provided, that not more than four per cent of all funds appropriated in this section shall be used or expended otherwise than for the payment of teachers employed in such schools.

XXI. ALABAMA MILK CONTROL BOARD:

For salaries and other expenses..... 48,000.00

Total 48,000.00

The appropriation herein made shall be paid out of the funds in the Alabama Milk Control Board Fund, and all the expenditures under this appropriation shall conform to Article 3, Chapter 4 of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

XXII. DEPARTMENT OF PUBLIC SAFETY:**(1) HIGHWAY PATROL DIVISION:**

For salary of Director of Public Safety and other salaries and other expenses 1,450,000.00

Total 1,450,000.00

The appropriations herein made shall be paid out of the funds in the Highway Patrol Fund as authorized by Article 1, Title 36 of the Code of Alabama of 1940, and all of the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

XXIII. ALCOHOLIC BEVERAGE CONTROL LAW ENFORCEMENT:

For salaries and other expenses..... 300,000.00

Total 300,000.00

The above appropriations shall be paid out of the Alcoholic Beverage Control Stores Fund and all

expenditures under this appropriations shall conform to the provisions of Article 3, Chapter 4, Title 55 of the Code of Alabama 1940 and the appropriations hereinabove made shall be considered the maximum amount to be expended therefrom. The expenditure under this appropriation shall be limited to the enforcement of the Alcoholic Beverage Control laws and the rules and regulations of the Alcoholic Beverage Control Board and for no other purpose.

XXIV. DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item V (9) of this Appropriation Bill

10,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Sales Tax Fund as part of the cost of collection as provided in Section 784, as amended, of Title 51, 1940 Code of Alabama.....

76,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Income Tax Fund as part of the cost of collection as provided by Constitutional Amendment No. LXI.....

30,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Tobacco Tax Fund as part of the cost of collection as provided in Section 739, of Title 51, 1940 Code of Alabama

18,000.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Gasoline Tax Fund, as part of the cost of collection as provided by Section 647, as amended, of Title 51, 1940 Code of Alabama.....

66,000.00

Total 200,000.00

The monies herein appropriated shall be expended only as follows:

(A) DEPARTMENT OF REVENUE—ADMINISTRATIVE ACCOUNT:

For salary of the Director.....	5,700.00
For other salaries.....	160,000.00
For other expenses.....	32,300.00
For equipment purchases.....	2,000.00
Total	200,000.00

The Department of Revenue Administrative Account and all expenditures hereunder shall conform to the provisions of Article 3, Chapter 4, Title 55, of the Code of Alabama of 1940 and the appropriations hereinabove made shall be considered the maximum amount to be expended therefrom.

(B) DEPARTMENT OF REVENUE—AUTO LICENSE DIVISION:

For salaries	47,000.00
For other expenses.....	235,000.00
For equipment purchases.....	1,000.00
Total	283,000.00

The appropriation herein made shall be paid out of the Auto License Fund and all the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

(C) DEPARTMENT OF REVENUE—AVIATION GASOLINE DIVISION:

For salaries	3,600.00
For other expenses.....	125.00
Total	3,725.00

The appropriation herein made shall be paid out of the Airport Development Fund and all the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

(D) DEPARTMENT OF REVENUE—FINANCIAL INSTITUTIONS EXCISE TAX DIVISION

For salaries	8,400.00
For other expenses	475.00
For equipment purchases	550.00
Total	9,425.00

The appropriation herein made shall be paid out of the Financial Institutions Excise Tax Fund and all the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

(E) DEPARTMENT OF REVENUE—GASOLINE TAX DIVISION

For salaries	146,060.00
For other expenses	41,600.00
For equipment purchases	4,180.00
Total	191,840.00

The appropriation herein made shall be paid out of the Public Road and Bridge Fund and all the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

(F) DEPARTMENT OF REVENUE—INCOME TAX DIVISION:

For salaries	120,000.00
For other expenses	42,000.00
For equipment purchases	3,000.00
Total	165,000.00

The appropriation herein made shall be paid out of the Income Tax Fund and all the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4 of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

(G) DEPARTMENT OF REVENUE—MOTOR CARRIER DIVISION:

For salaries	42,000.00
For other expenses	20,000.00

For equipment purchases.....	1,200.00
Total	63,200.00

The appropriation herein made shall be paid out of the Motor Carrier Fund and all the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4 of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

(H) DEPARTMENT OF REVENUE—SALES TAX DIVISION:

For the fiscal year ending September 30, 1950:

For salaries	500,000.00
For salaries for extra clerical help in audit of wholesale firms	100,000.00
For other expenses.....	210,000.00
For equipment purchases.....	6,000.00

Total	816,000.00
-------------	------------

For the fiscal year ending September 30, 1951:

For salaries	500,000.00
For other expenses.....	210,000.00
For equipment purchases.....	6,000.00

Total	716,000.00
-------------	------------

The appropriation herein made shall be paid out of the Sales Tax Fund and all the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

(I) DEPARTMENT OF REVENUE—SPECIAL STATE FORESTRY DIVISION

For salaries	13,800.00
For other expenses.....	9,650.00
For equipment purchases.....	300.00

Total	23,750.00
-------------	-----------

The appropriation herein made shall be paid out of the Special State Forestry Fund and all the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

**(J) DEPARTMENT OF REVENUE—STORE
LICENSE DIVISION**

For salaries	17,000.00
For other expenses	8,000.00
Total	25,000.00

The appropriation herein made shall be paid out of the Alabama Special Educational Trust Fund—Store License Fund and all the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

**(K) DEPARTMENT OF REVENUE—TOBACCO
TAX DIVISION:**

For salaries	45,000.00
For other expenses	82,850.00
For equipment purchases	500.00
Total	128,350.00

The appropriation herein made shall be paid out of the Alabama Special Educational Trust Fund—Tobacco Tax and all the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

**(L) DEPARTMENT OF REVENUE—USE TAX
DIVISION:**

For salaries	35,000.00
For other expenses	15,000.00
For equipment purchases	300.00
Total	50,300.00

The appropriation herein made shall be paid out of the Alabama Special Educational Trust Fund—Use Tax and all the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, of Title 55 of the Code of Alabama 1940 and shall be limited in expenditure to the amounts hereinabove set out.

Total Revenue Department 1949-50	1,959,290.00
Total Revenue Department 1950-51	1,859,290.00

Section 2. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission or other agency according to the pay plan recommended by the personnel board, and approved by the Governor.

Section 3. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated shall be considered as the maximum amounts to be expended for the purposes herein designated and that in no event shall the maximum expenditure provided for in any items of expense exceed the amount allocated herein except for those appropriations designated as 'estimated' and any fees, receipts, income, or moneys collected or received by any department, board, bureau, commission, office or institution as a result of the sale or disposition of any personal property in use by any said department, board, bureau, commission, office or institution are not appropriated for additional expenditure.

Section 4. That nothing in this act shall be construed to affect or repeal any law authorizing or permitting any college, school, or other institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts, or income therefrom, which it is now or may hereafter be authorized to receive, collect or disburse.

Section 5. That the appropriations herein made, except appropriations to eleemosynary institutions and to the Alabama Institute for Deaf and Blind, are and shall be subject to the terms, conditions, provisions, and limitations of the Budget and Financial Control Act.

Section 6. That if any section, paragraph, sentence, clause, provision, or portion of this act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision, or portion of this act, or any other appropriation or appropriations or portion thereof hereby made, not in and of itself unconstitutional or invalid.

Section 7. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provi-

sions of this act, be and the same are hereby expressly repealed.

Section 8. That this act shall become effective on October 1, 1949.

Mr. Patton moved to lay on the table the substitute offered by Mr. Hardwick, which motion was lost.

Yeas 16; Nays 17.

Yeas:

Messrs.:	Glover	Kendall	Quarles	
Allen	Golson	Lowe	Russell	
Boutwell	Henderson	Patton	Swift	
Bridges	Hughes	Perry	Wright	
Cater				—16

Nays:

Messrs.:	Fite	Hooton	Langan	
Barrett	Gaither	Howle	Mize	
Burnside	Gulledge	Kimbrell	Patterson	
Clayton	Hardwick	Lamberth	Summerlin	
Coleman	Harvey			—17

At 5:30 P. M. Mr. Langan moved that the Senate do now adjourn until Tuesday, August 23, 1949, at 12:01 A. M., which motion was lost.

Yeas 8; Nays 23.

Yeas:

Messrs.:	Howle	Kendall	Langan	
Fite	Hughes	Lamberth	Patton	
Glover				—8

Nays:

Messrs.:	Clayton	Harvey	Perry	
Allen	Coleman	Henderson	Quarles	
Barrett	Gaither	Kimbrell	Russell	
Boutwell	Golson	Lowe	Summerlin	
Bridges	Gulledge	Mize	Swift	
Cater	Hardwick	Patterson	Wright	—23

At 5:35 P. M. Mr. Patterson moved that the Senate do now take a recess until 8:00 P. M. tonight, which motion was lost.

Yeas 5; Nays 24.

Yeas:

Messrs.:	Kendall	Patterson	Russell	
Burnside	Kimbrell			—5

Nays:

Messrs.:	Boutwell	Clayton	Gaither
Allen	Bridges	Coleman	Glover
Barrett	Cater	Fite	Golson

Gulledge
Hardwick
Harvey
Henderson

Howle
Langan
Lowe

Mize
Perry
Quarles

Summerlin
Swift
Wright

—24

At 5:55 P. M. Mr. Glover moved that the Senate do now adjourn until Tuesday, August 23, 1949, at 9:00 A. M., which motion was lost.

Yeas 13; Nays 16.

Yeas:

Messrs.:
Clayton
Coleman
Fite

Glover
Golson
Henderson
Hughes

Kimbrell
Lamberth
Langan

Patton
Quarles
Swift

—13

Nays:

Messrs.:
Allen
Barrett
Boutwell
Bridges

Burnside
Cater
Gulledge
Hardwick

Harvey
Howle
Kendall
Lowe

Patterson
Perry
Summerlin
Wright

—16

Mr. Lowe offered the following substitute for the Hardwick substitute for the bill, H. B. 52, to-wit:

SUBSTITUTE FOR H. B. 52

A BILL TO BE ENTITLED AN ACT

To make appropriations for the ordinary expenses of the executive, legislative, and judicial departments of the State, for interest on the public debt, and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. In pursuance of Sections 71 and 72 of the Constitution of 1901, there is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for interest on the public debt, and for the public schools, for each of the fiscal years 1949-1950 and 1950-51, out of the funds in the State Treasury herein designated, the several sums of money herein specified, or so much thereof as may be necessary for the purposes indicated. And, except as may be otherwise herein expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions, and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama, 1940) and the amount specified for an object shall be the maximum amount to be spent therefor, the provisions of any law, statute, or regulation to the contrary notwithstanding.

FROM THE GENERAL FUND

I. EXECUTIVE:

THE GOVERNOR'S OFFICE, for the
fiscal year ending September 30,
1950:

For the salary of the Governor.....	\$ 6,000.00
For other salaries.....	39,600.00
For other expenses.....	6,000.00
For equipment purchases.....	500.00
For Legal Counsel, as set out in Act No. 116, 1949 Legislature.....	5,700.00
Division of Records and Reports.....	9,000.00

Total	66,800.00
-------------	-----------

For the fiscal year ending September
30, 1951:

For the salary of the Governor.....	6,000.00
For other salaries.....	39,600.00
For other expenses.....	6,000.00
For equipment purchases.....	3,500.00
For Legal Counsel, as set out in Act No. 116, 1949 Legislature.....	5,700.00
Division of Records and Reports.....	9,000.00

Total	69,800.00
-------------	-----------

For the Governor's Contingent Fund	25,000.00
--	-----------

(This appropriation is the fund contemplated in
Section 179 of Title 55 of the Code of Alabama
(1940) and the maximum amount to be spent for
the purposes therein mentioned.)

For the Governor's Emergency Fund.....	100,000.00
--	------------

(This appropriation entitled "Governor's Emer-
gency Fund" is the appropriation contemplated
in Section 105, Title 55 of the Code of Alabama
(1940) and shall be the only amount appropri-
ated and the total amount expended under the
provisions of said section.)

II. LEGISLATIVE:

For the salaries of the Clerk of the House and the
Secretary of the Senate and for other salaries
and other expenses for the fiscal year ending
September 30, 1950, and for the salaries and ex-
penses of the Legislature for extraordinary ses-
sions

100,000.00

For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for any expenses for any legislative sessions for the fiscal year ending September 30, 1951.....	600,000.00
---	------------

For printing legislative acts and journals for the fiscal year ending September 30, 1950.....	40,000.00
---	-----------

III. JUDICIAL:

(1) SUPREME COURT:

For the salaries of the Chief Justice and six Associate Justices.....	66,500.00
For the salary of the Clerk of the Court	4,500.00
For the salary of the Reporter of Decisions	4,800.00
For other salaries.....	28,320.00
For other expenses.....	6,880.00
<hr/>	
Total	111,100.00

For the Supreme Court Library Fund.....	3,500.00
---	----------

For the salary of supernumerary judges (estimated)	15,000.00
--	-----------

(2) THE COURT OF APPEALS:

For the salaries of the three judges....	27,000.00
For other salaries.....	11,340.00
For other expenses.....	3,150.00
<hr/>	
Total	41,490.00

(3) THE CIRCUIT COURTS:

For the salaries of the forty-eight judges of the circuits courts	288,000.00
For travel expenses of circuit judges.....	7,500.00
For the salaries and travel expenses of special judges (estimated)	3,000.00
For the salaries of twenty-eight circuit solicitors	134,400.00
For the salary of the deputy circuit solicitor of the Bessemer Division of the 10th Judicial Circuit.....	4,800.00
For the salary of the assistant deputy solicitor of the Bessemer Division of the 10th Judicial Circuit.....	3,600.00
For the salary of the 1st, 2nd, and 3rd deputy solicitor of the Birmingham Division of the 10th Judicial Circuit; \$4,200.00 each.....	12,600.00

For the salaries of the deputy circuit solicitors of the 13th Judicial Circuit	5,400.00	
For the salary of the deputy circuit solicitor of the 15th Judicial Circuit	4,200.00	
Total		165,000.00
For the travel expenses of circuit solicitors.....		6,000.00
For telephone service, stationery, stamps and necessary equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants..		10,000.00
(4) COURT REPORTERS:		
For the compensation of the thirty-three circuit court reporters, 1947 Acts, page 289.....		39,600.00

IV. CONSTITUTIONAL OFFICES:

(1) OFFICE OF THE ATTORNEY GENERAL:

For the salary of the Attorney General	5,700.00	
For other salaries.....	84,300.00	
For other expenses.....	12,500.00	
For equipment purchases.....	1,000.00	
Total		103,500.00

(2) OFFICE OF THE STATE AUDITOR:

For the salary of the State Auditor....	4,800.00	
For other salaries.....	23,820.00	
For other expenses.....	610.00	
For equipment purchases.....	200.00	
Total		29,430.00

(3) OFFICE OF THE SECRETARY OF STATE:

For the salary of the Secretary of State	4,800.00	
For other salaries.....	14,220.00	
For other expenses.....	2,000.00	
For equipment purchases.....	500.00	
Total		22,090.00

(4) OFFICE OF THE STATE TREASURER:

For the salary of the State Treasurer..	4,800.00	
For other salaries.....	44,500.00	

For other expenses and compensation of fiscal agents.....	8,200.00	
For equipment purchases.....	500.00	
Total		58,500.00

V. DEPARTMENTS, BOARDS, BUREAUS,
AGENCIES AND COMMISSIONS:

(1) AGRICULTURAL CENTER BOARD:

For salaries, maintenance and upkeep incident to the operations of the livestock coliseum at Montgomery, Alabama for the fiscal year ending September 30, 1951.....		50,000.00
--	--	-----------

(2) DEPARTMENT OF ARCHIVES
AND HISTORY:

For the fiscal year ending September 30, 1950:		
For the salary of the Director.....	4,200.00	
For other salaries.....	35,000.00	
For other expenses.....	7,300.00	
For equipment purchases.....	1,500.00	
For expenses of publication of the Alabama Historical Quarterly.....	2,000.00	
For the printing of the Statistical Register	7,000.00	
Total		57,000.00

For the fiscal year ending September
30, 1951:

For the salary of the Director.....	4,200.00	
For other salaries.....	35,000.00	
For other expenses.....	7,300.00	
For equipment purchases.....	1,500.00	
For expenses of publication of the Alabama Historical Quarterly.....	2,000.00	
Total		50,000.00

(2½) PUBLIC LIBRARY SERVICE
DIVISION:

For salaries	23,400.00	
For other expenses.....	10,800.00	
For equipment	1,800.00	
For books	45,000.00	
Total		81,000.00

**(3) DEPARTMENT OF COM-
MERCE:**

For the salary of the Director.....	5,700.00
For other salaries.....	54,900.00
For other expenses.....	19,230.00
For equipment purchases.....	1,170.00

Total 81,000.00

(This appropriation to the Department of Commerce is in lieu of the indefinite appropriations provided by Section 42 of Title 55 and Sections 45 and 53 of Title 28 of the Code of Alabama (1940) and Act No. 159, H. 233 approved June 23, 1945 (General Acts of Alabama, 1945, page 200), and the amounts specified here are the maximum amounts to be expended for any objects indicated therein.)

**(3½) DEPARTMENT OF INSUR-
ANCE:**

For salaries and other expenses.....	41,565.00
--------------------------------------	-----------

Total 41,565.00

(This appropriation for the Department of Insurance contemplates the creation of a new department by Act of 1949; if the new department is not established, the appropriation here made shall be subject to expenditure by the Department of Commerce.)

**(4) DEPARTMENT OF EXAMIN-
ERS OF PUBLIC ACCOUNTS:**

For the salary of the Chief Examiner.....	5,700.00
For other salaries.....	281,300.00
For other expenses.....	116,000.00
For equipment purchases.....	2,000.00

Total 405,000.00

(5) DEPARTMENT OF FINANCE:**Director's Office:**

Salary of the Director.....	6,000.00
For other salaries.....	8,220.00
For other expenses.....	2,200.00
For equipment purchases.....	380.00

Total 16,800.00

Division of the Budget:

For salaries.....	14,780.00
For other expenses.....	1,120.00

For equipment purchases.....	100.00	
Total		16,000.00
Division of Control and Accounts:		
For salaries	75,000.00	
For other expenses.....	22,000.00	
For equipment purchases.....	3,000.00	
Total		100,000.00
Division of Service:		
For salaries	70,000.00	
For other expenses.....	75,000.00	
For equipment purchases.....	5,000.00	
Total		150,000.00
For inventory control:		
Fiscal year 1949-50.....		25,000.00
Fiscal year 1950-51.....		12,500.00
Division of Purchases and Stores:		
For salaries	58,880.00	
For other expenses.....	7,620.00	
For equipment purchases.....	1,000.00	
Total		67,500.00
Division Legal:		
For salaries	8,580.00	
For other expenses.....	920.00	
Total		9,500.00
Division of Local Finance:		
For salaries	6,480.00	
For other expenses.....	270.00	
Total		6,750.00
(6) DEPARTMENT OF HEALTH:		
For the salary of the State Health Officer.....		7,500.00
General Health:		
For salaries	263,630.00	
For other expenses.....	56,310.00	
For equipment purchases.....	10,000.00	
Total		329,940.00
Contribution to Counties.....		285,660.00
Subsidy to Counties for tuberculosis.....		270,000.00
Study and treatment of cancer.....		76,500.00

Blood Testing for Syphilis:

For salaries	70,000.00
For other expenses.....	37,500.00
For equipment purchases.....	5,000.00

Total	112,500.00
-------------	------------

Tuberculosis Testing:

For salaries	22,500.00
For other expenses.....	40,000.00
For equipment purchases.....	5,000.00

Total	67,500.00
-------------	-----------

Administration of Tuberculosis Hospitals:

For salaries	16,000.00
For other expenses.....	6,500.00

Total	22,500.00
-------------	-----------

Hospital Planning:

For salaries	9,000.00
For other expenses.....	4,500.00

Total	13,500.00
-------------	-----------

Pollution Control	20,000.00
-------------------------	-----------

Grand Total	1,205,600.00
-------------------	--------------

The following additional appropriations are also made to the use of the State Health Department conditionally; that is, if the Department of State Docks and Terminals pays from its own funds the principal coming due on harbor improvement bonds, or any portion thereof, the amount so paid shall be applied $\frac{3}{5}$ to this appropriation and $\frac{2}{5}$ to the payment of the conditional appropriation herein made to the use of the Department of Public Welfare:

General Health:

For salaries	20,000.00
For other expenses.....	16,660.00

Total	36,660.00
-------------	-----------

Contribution to counties.....	31,740.00
-------------------------------	-----------

Subsidy to counties for tuberculosis.....	48,500.00
---	-----------

Study and treatment of cancer.....	26,600.00
------------------------------------	-----------

Hospital Planning:

For salaries	5,800.00
--------------------	----------

For other expenses	200.00	
For equipment purchases	500.00	
Total		6,500.00
Grand Total		150,000.00

(7) DEPARTMENT OF INDUS-
TRIAL RELATIONS:

For salaries	76,500.00	
For other expenses	28,000.00	
For equipment purchases	800.00	
Total		105,300.00

(8) DEPARTMENT OF REVENUE:

For transfer to Administrative Division	9,200.00	
For expense incident to equalization boards	75,000.00	
For collection of estate and inheritance tax:		
for salaries	2,880.00	
for other expenses	120.00	
Total		87,200.00

(9) MILITARY DEPARTMENT:

For the salary of the Adjutant General	5,700.00	
For other salaries	50,000.00	
For other expenses	15,000.00	
For equipment purchases	1,000.00	
For quarterly allowances	100,000.00	
For care and maintenance of armories	40,000.00	
For active military service	70,000.00	
Total		281,700.00

(10) PERSONNEL DEPARTMENT:

For the salary of the Director	5,000.00	
For other salaries	41,000.00	
For other expenses	11,000.00	
For equipment purchases	500.00	
Total		57,500.00

(11) STATE BOARD OF ADJUST-
MENT:

For salaries	3,600.00	
For other expenses	375.00	

REGULAR SESSION

2023

For awards by the Board (estimated)	20,000.00	
Total		23,975.00
(12) ALABAMA STATE PLAN- NING BOARD:		
For the salary of the Director.....	5,000.00	
For other salaries.....	50,000.00	
For other expenses.....	10,000.00	
For out-of-state advertising.....	10,000.00	
For equipment purchases.....	4,000.00	
Total		79,000.00
(13) STATE TOXICOLOGIST:		
For salaries	30,000.00	
For other expenses.....	4,500.00	
For equipment purchases.....	500.00	
Total		35,000.00
(14) STATE LABOR DEPART- MENT:		
For the salary of the Director.....	5,000.00	
For other salaries and other expenses	5,000.00	
Total		10,000.00
(15) LEGISLATIVE REFERENCE SERVICE:		
For salaries	31,000.00	
For other expenses.....	3,250.00	
For equipment purchases.....	750.00	
Total		35,000.00
For LEGISLATIVE COUNCIL		2,500.00
(16) DEPARTMENT OF VET- ERANS' AFFAIRS:		
For salaries	239,000.00	
For other expenses.....	27,000.00	
For equipment purchases.....	2,000.00	
For contracts:		
D. A. V.'s	6,000.00	
American Legion	25,000.00	
Spanish War Veterans	1,000.00	
V. F. W.....	25,000.00	
	57,000.00	
Grand Total		325,000.00

(17) EMPLOYEES RETIREMENT SYSTEM, for the fiscal year ending September 30, 1950.....	381,142.00
EMPLOYEES RETIREMENT SYSTEM, for the fiscal year ending September 30, 1951.....	418,227.00
(17½) EMPLOYEES SPECIAL PENSION FUND	20,000.00
(18) STATE SECURITIES COM- MISSION (As provided in 1943 Acts, Act No. 498):	
For salaries	5,220.00
For other expenses.....	780.00
Total	6,000.00

VI. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES:

(1) DEPARTMENT OF CONSER- VATION:

Division of State Parks, Monuments
and Historical Sites:

For salaries and other expenses inci- dent to the operation and mainte- nance of State Parks and the Divi- sion of State Parks, Monuments and Historical Sites.....	30,000.00
---	-----------

Division of State Lands:

For salaries and other expenses inci- dent to the operation of the Divi- sion of State Lands; and for the ad- ministration of the Department of Conservation	25,000.00
--	-----------

Total	55,000.00
-------------	-----------

(The above appropriations to the Department of
Conservation are in addition to other appropria-
tions herein provided.)

(2) GEOLOGICAL SURVEY:

For the salary of the State Geologist..	5,700.00
For other salaries.....	38,800.00
For other expenses.....	34,700.00
For equipment purchases.....	450.00
For matching Federal funds for the investigation of the water resources of the State.....	11,250.00

Total	90,900.00
-------------	-----------

(This appropriation to the Geological Survey is in lieu of the indefinite appropriation provided by Section 248 of Title 55 of the Code of Alabama (1940), and the amount specified here is the maximum amount to be expended for any objects indicated therein.)

(3) STATE SOIL CONSERVATION
COMMITTEE:

For administration and other expenses incident to organization of soil conservation districts..... 12,500.00

Total 12,500.00

VII. EDUCATION:

(1) INTEREST ON ENDOWMENTS:

For interest on Alabama College endowment,
(Estimated) 39,019.78

For interest on Alabama Polytechnic Institute endowment 20,280.00

For interest on University of Alabama endowment 61,000.00

For interest on Grove Hill endowment..... 600.00

For interest on Public School Fund Endowments:

Interest on 16th Second Lands—
(Estimated) 158,495.81

Interest on School Indemnity Lands—
(Estimated) 25,000.00

Interest on Valueless 16th Section
Lands 5,825.47

Interest on Surplus Revenue 26,763.47

Interest on James Wallace Fund..... 275.25

Total estimated 216,360.00

(2) Alabama Special Educational Trust Fund..... 1,750,000.00

VII. CHARITIES, HOSPITALS, AND CORRECTIONS:

(1) For the administration, operation and maintenance of the convict system and for the payment of criminal court costs (This appropriation is in addition to other appropriations herein provided) 150,000.00

(2) DEPARTMENT OF PUBLIC
WELFARE:

For salaries and expenses, for juvenile wards, for public welfare, for old age assistance, and for social security 617,985.00

For additional old age assistance.....	675,415.80
For the Department of Public Welfare	2,160,000.00
For the sixty-seven counties of the State to be used for public welfare in cooperation with the State Department of Public Welfare or the Federal Government.....	1,440,000.00
(One-half of the above appropriations to the counties shall be distributed proportionately among the sixty-seven counties of the State according to the population of said counties as shown by the last Federal census; and one-half of the appropriation shall be divided and distributed equally among the sixty-seven counties of the State.)	
Total	4,893,400.80

The following additional appropriations are also made to the Department of Public Welfare conditionally; that is, if the Department of State Docks and Terminals pays from its own funds the principal coming due on harbor improvement bonds, or any portion thereof, the amount so paid shall be applied $\frac{2}{5}$ to this appropriation and $\frac{3}{5}$ to the payment of the conditional appropriation herein made to the use of the State Health Department.

For the Department of Public Welfare	50,000.00
For the sixty-seven counties of the State to be used for public welfare in cooperation with the State Department of Public Welfare or the Federal Government	50,000.00
(One-half of the above appropriations to the counties shall be distributed proportionately among the sixty-seven counties of the State according to the population of said counties as shown by the last Federal census; and one-half of the appropriation shall be divided and distributed equally among the sixty-seven counties of the State.)	
Total	100,000.00
(The above appropriations for the Department of Public Welfare are in addition to other appropriations herein set out.)	

(3) ALABAMA BOYS INDUSTRIAL SCHOOL:
For the maintenance, support, insurance, and upkeep of the Alabama Boys Industrial School, an

amount to be drawn quarterly in advance by the treasurer of the Alabama Boys Industrial School, and to be distributed as directed by the Board of Trustees.....	148,500.00
(Any balance from the above appropriation to the Alabama Boys Industrial School at the end of any fiscal year shall remain in the hands of the treasurer of said institution and shall not revert to the State Treasury.)	
(4) ALABAMA INDUSTRIAL SCHOOL FOR NEGROES:	
For maintenance, support, insurance and upkeep of the Alabama Industrial School for Negroes, an annual amount to be drawn quarterly in advance by the treasurer of the Alabama Industrial School for Negroes and to be disbursed as directed by the Board of Trustees	75,000.00
(Any balance from the above appropriations to the Alabama Industrial School for Negroes at the end of any fiscal year shall remain in the hands of the treasurer of said institution and shall not revert to the State Treasury.)	
(5) ALABAMA INSANE HOSPITALS:	
For the support, maintenance, and repair of Alabama Insane Hospitals, an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$9.00 per week for each patient, estimated for the fiscal year ending September 30, 1950	2,934,360.00
For the fiscal year ending September 30, 1951.....	3,027,960.00
(6) PARTLOW STATE SCHOOL FOR MENTAL DEFICIENTS:	
For the support, maintenance and repair of the Partlow State School for Mental Deficients, an amount to be fixed by the Governor at not less than \$6.00 per week nor more than \$9.00 per week for each patient, estimated	
For the fiscal year ending September 30, 1950	607,500.00
For the fiscal year ending September 30, 1951.....	667,125.00
(The above appropriations to the Alabama Insane Hospitals and the Partlow State School for Mental Deficients shall be payable and are to be disbursed as provided in Title 45, Sections 189 to 230, inclusive, of the Code of Alabama (1940) and shall continue and the unexpended balances thereof shall not revert to the State Treasury at the end of any fiscal year.)	

(7) STATE TRAINING SCHOOL FOR GIRLS:

For the maintenance, support, insurance and upkeep of the State Training School for Girls, an amount to be drawn quarterly in advance by the treasurer of the Board of the State Training School for Girls and to be disbursed as directed by said Board.....

80,000.00

(The appropriation herein made to the State Training School for Girls shall be payable and is to be disbursed as provided in Title 45, Sections 231 to 252, inclusive, of the Code of Alabama (1940) and shall continue and the unexpended balance thereof shall not revert to the State Treasury at the end of any fiscal year.)

(8) REMOVAL OF PRISONERS:

For expenses incident to removal of prisoners (estimated)

9,000.00

(9) FEEDING OF PRISONERS:

For expenses of feeding prisoners in county jails (estimated)

325,000.00

(10) ARREST OF ABSCONDING FELONS:

For expenses incident to the arrest of absconding felons

900.00

(11) BOARD OF PARDONS AND PAROLES:

For salaries of board members.....	15,000.00
For other salaries.....	143,000.00
For other expenses.....	30,000.00
For equipment purchases.....	2,000.00

Total

190,000.00

IX. DEBT SERVICE:

(1) For interest on Class A. Renewal and Class C. Renewal and Funding Renewal Bonds, for the fiscal year ending September 30, 1950

329,505.00

For the fiscal year ending September 30, 1951

319,290.00

(2) For principal on outstanding Harbor Improvement Bonds

250,000.00

(3) For interest on outstanding Harbor Improvement Bonds for the fiscal year ending September 30, 1950.....

277,218.75

(4) For interest on outstanding Harbor Improvement Bonds for the fiscal year ending September 30, 1951.....

266,531.25

(5) For interest on Spanish American War Veterans Fund (estimated).....	294.86
---	--------

X. MISCELLANEOUS:

(1) For Bang's Disease Control as provided for under Act 410, General Acts of 1947, page 298	
For salaries	30,000.00
For other expenses.....	60,000.00
Total	90,000.00
(2) Automatic Appeal Expense as provided in 1943 Acts, page 217 (estimated).....	5,400.00
(3) For Spanish War Veterans encampment and administration	2,000.00
(4) For advertising lands for tax sale.....	2,400.00
(5) For civil court costs in connection with ad valorem tax assessment appeals	450.00
(6) For mailing tax notices (estimated).....	5,000.00
(7) For registration of voters (estimated)	
For the fiscal year ending September 30, 1950 ..	75,000.00
For the fiscal year ending September 30, 1951 ..	130,000.00
(8) For expense Governor's Proclamations (estimated)	15,000.00
(9) For distribution of public documents (estimated)	1,000.00
(10) First White House of the Confederacy	
For salaries and other expenses.....	2,500.00
For additions and betterments.....	1,000.00
Total	3,500.00
(11) Temporary Clerk Fund.....	5,000.00
(Maximum expenditure pursuant to Section 175, Title 55, Code of Alabama (1940).)	
(12) Rental of State offices.....	40,000.00
(Maximum expenditure pursuant to H. B. 185, 1949 Legislature.)	
(13) Purchase Code Pocket Supplement for the fiscal year ending September 30, 1950.....	20,000.00
(14) For payment of attorneys' fees in indigent capital cases (as provided in 1947 Acts, page 61)	22,500.00

(15) For printing of State and county privilege licenses	7,500.00
(16) Capitol Building Commission: To provide for the expenditures authorized by Section 365 to 367, inclusive, Title 55, Code of Alabama (1940)	100,000.00
(17) Cahaba Memorial Board: To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449	500.00
(18) Gorgas Memorial Board: To provide for the expenditures authorized by Act No. 417, 1943 Acts, page 383	2,500.00
(19) LaGrange Historical Board: To provide for the expenditures authorized by Act No. 551, 1943 Acts, page 540	500.00
(20) Richmond Pearson Hobson Memorial Board: To provide for the expenditure authorized by Act No. 536, 1943 Acts, page 510	2,500.00
(21) Alabama Commission on Interstate Coopera- tion	1,000.00
(22) Hog Cholera Serum Fund	50,000.00

FROM FUNDS OTHER THAN GENERAL FUNDS

XI. AERONAUTICS DEPARTMENT:

For the salary of the Director	5,700.00	
For other salaries	41,700.00	
For other expenses	14,660.00	
For equipment purchases	1,000.00	
Total		63,060.00

(This appropriation shall be paid out of the receipts of the Airports Development Fund provided by Act No. 402, S. B. 217, approved July 9, 1945, and all the residue of said fund is hereby appropriated for matching federal funds for aid to airports and airmarking.)

XII. AGRICULTURE AND INDUSTRIES:

A. ADMINISTRATIVE OPERATIONS:

For salary of the Commissioner	5,400.00
For other salaries	377,500.00
For other expenses	187,400.00
For office equipment	10,000.00

For other equipment.....	13,000.00
For additions and betterments.....	1,600.00
For the Alabama State Fair Association	100,000.00
For the livestock coliseum.....	100,000.00

Total 794,900.00

(The above appropriation is payable from the Agricultural Fund and is in lieu of the indefinite appropriations provided by Sections 31, 33, 34, 35, and 36 of Title 2 of the Code of Alabama (1940), and the amount specified here is the maximum amount to be expended for any objects indicated therein.)

B. TRANSFER OF FUNDS FROM AGRICULTURAL FUND:

1. Transfer to the Hog Cholera Serum Fund	50,000.00
2. Transfer to the Agricultural Center Board Fund.....	55,000.00
3. Transfer to State Markets Board..	15,000.00
4. Transfer to White-Fringe Beetle Account	30,000.00

Total 150,000.00

The above appropriations to be allocated and expended pursuant to the limitations herein authorized in C and D.

C. HOG CHOLERA SERUM FUND:

For salaries and other expenses.....	50,000.00
--------------------------------------	-----------

Total 50,000.00

The above appropriation from the Agricultural Fund shall be expended for the purposes provided in Act No. 370, 1947 Acts, page 257.

D. AGRICULTURAL CENTER BOARD:

For salaries	14,500.00
For other expenses.....	5,100.00
For equipment purchases.....	400.00

For awarding of prizes for livestock shows; provided, the Agricultural Center Board shall not use any of the appropriation for awarding prizes or premiums except at shows sponsored by it and then only to match an equal amount provided

for that purpose by subscriptions of private persons, firms or corpora- tions	35,000.00
---	-----------

Total	55,000.00
-------------	-----------

E. STATE MARKETS BOARD:

For salaries	8,000.00
For other expenses	7,000.00

Total	15,000.00
-------------	-----------

(The appropriations hereinabove set out in C, D, and E shall be the maximum amounts expended thereunder and all expenditures under these appropriations shall conform to the provisions of Article 3, Chapter 4, Title 55 of the Code of Alabama (1940).

F. For salaries and other expenses for White-Fringe Beetle control	30,000.00
--	-----------

G. For the payment of expenses and salaries incident to the operation of shipping point inspection of the Department of Agriculture and Industries there is hereby appropriated all fees and charges collected by the Commissioner of Agriculture and Industries under the provisions of Title 2, Chapter 1, Article 25, Code of Alabama (1940), pursuant to an agreement with the United States Department of Agriculture whereby cooperative Federal-State shipping point and terminal market inspection services for the grading and classification of agricultural commodities are performed, and the expenditures hereunder shall conform to the provisions of Article 3, Chapter 4, Title 55, Code of Alabama (1940), as amended.

**XIII. ALABAMA REAL ESTATE
COMMISSION:**

For salaries	11,000.00
For other expenses	9,700.00
For equipment purchases	300.00

Total	21,000.00
-------------	-----------

(The above appropriation shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Section 300, of the Code of Alabama (1940). This appropriation to the Alabama Real Estate Commission is in lieu of the indefinite appropriation provided by Section 300 of Title 46 of the Code of Alabama (1940) and the

amount specified here is the maximum amount to be expended for any objects indicated therein.)

XIV. ALABAMA PUBLIC SERVICE COMMISSION:

For salary of the President and two associate commissioners	21,300.00	
For other salaries.....	81,800.00	
For other expenses.....	40,600.00	
For equipment purchases.....	6,300.00	
<hr/>		
Total		150,000.00

(The above appropriation to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carriers or motor transportation companies as are now or may be set aside by law to be used by the Commission; but if said fees and taxes do not equal the total amount of \$150,000.00 there shall not be paid out of the General Fund of the State any amount, but the appropriation for all said salaries and expenses of the Commission and its employees in such event shall be limited to the total amount of all said fees and taxes assigned to the Commissioner's said appropriation. In consideration of the fact that inspection and supervision fees of utilities and transportation companies, constituting the greater part of the funds made available for the salaries and expenses of the Commission and its employees, are payable on the calendar year basis and are payable February first of each year, the State Treasurer shall hold in the State Treasury at the end of each fiscal year on September 30th as much as \$50,000.00 of such part of said sum of \$50,000.00 out of such fees and taxes assigned to this appropriation for the Commission, as may then be on hand, and the same shall be paid out by the State Treasurer as provided by law for all such salaries and expenses of the Commission and its employees during the months of October, November, December, and January. Upon the close of business at the end of each fiscal year of the State, if the balance of the amount of such fees and taxes assigned to provide such appropriation for the Commission, then on hand in the State

Treasury, exceeds said sum of \$50,000.00 such excess shall then be covered into the State Treasury to the credit of the General Fund.

XV. DEPARTMENT OF CONSERVATION:

- (1) To the use of the Division of Game, Fish, and Seafoods, out of the Game, Fish, and Seafoods Fund:

For salaries and other expenses incident to the operation of the division and for the use provided in Act No. 230, approved July 9, 1945.....	560,000.00
For oyster and shrimp protection.....	80,000.00
For dredging a canal between Oyster Bay and the Lagoon, in Baldwin County	20,000.00

Total	660,000.00
-------------	------------

(This appropriation to the Division of Game, Fish, and Seafoods of the Department of Conservation is in lieu of the indefinite appropriation provided by Act No. 230, H. 91, approved July 9, 1945 (General Acts of Alabama, 1945, page 352), and the amount specified here is the maximum amount to be expended for any objects indicated therein.)

- (2) To the use of the Division of State Parks, Monuments, and Historical Sites, out of the State Parks Fund, for salaries and other expenses incident to the operation and maintenance of State parks, monuments, and historical sites

100,000.00

(This appropriation to the Division of State Parks, Monuments and Historical Sites of the Department of Conservation is in addition to the general fund appropriation of \$30,000.00 and in lieu of the indefinite appropriation provided by Section 183 of Title 8 of the Code of Alabama (1940), and the amount specified here is the maximum amount to be expended from the parks fund for any objects mentioned in said Section 183.)

- (3) To the use of the Division of Forestry out of the Forestry Fund, for salaries and other expenses, and for administration of the Department of Conservation

1,250,000.00

(This appropriation to the Division of Forestry of the Department of Conservation is in lieu of the indefinite appropriation provided by Section 202 of Title 8 of the Code of Alabama (1940), as amended, and the amount specified here is the maximum amount to be expended for any objects indicated therein.)

(4) To the use of the Division of State Lands, out of the State Lands Fund, for salaries and other expenses 5,000.00

(This appropriation to the Division of State Lands of the Department of Conservation is in lieu of the indefinite appropriation provided by Act No. 341, H. 26, approved July 9, 1945 (General Acts of Alabama, 1945, page 554), and the amount specified here is in addition to the general fund appropriation of \$25,000.00 herein made.)

XVI. DEPARTMENT OF PUBLIC WELFARE:

For the State Department of Public Welfare for old age assistance purposes, out of the proceeds from the levy of the one mill tax for the relief of needy Confederate veterans and their wives, all the surplus or residue thereof after the payment in full of the pensions to Confederate veterans and their wives and other charges against said fund set out in Title 49, Section 50 of the Code of Alabama (1940). In making this appropriation it is hereby declared to be the legislative policy that the Department of Public Welfare expend all the surplus or residue hereby appropriated and all moneys received by it from the Federal government for matching any or all funds expended for Confederate pensions or for matching the surplus or residue hereby appropriated, for old age assistance purposes exclusively, insofar as is possible under existing laws and the rules and regulations of the Federal government and of the Department of Public Welfare in regard thereto, before any part thereof may be expended for any other purposes by the Department of Public Welfare. This section shall not repeal or affect the provisions of Act No. 253 of the Regular Session of the Legislature of 1949.

XVII. DEPARTMENT OF CORRECTIONS AND INSTITUTIONS:

For the salary of the Director of Corrections and Institutions, for other salaries, and for other expenses incident to the operation and maintenance of the convict system of Alabama, all receipts from its administration and from labor of the convicts; and, in addition thereto, such sum from the general fund appropriation herein made as may be needed for the proper administration, operation, and maintenance of the convict system.

XVIII. HIGHWAYS AND BRIDGES:

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay same; and for the compensation of the State Highway Director, for maintenance and construction of roads and bridges, for salaries, and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the Highway Department by virtue of Federal aid.

XIX. PENSIONS:

(1) For Confederate veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows as now provided by law, out of the proceeds from the levy of the one mill tax for the relief of needy Confederate soldiers and sailors and their widows, and in the event the proceeds from said levy are insufficient to pay same, such additional amount as may be necessary for the payment thereof.

(2) To the use of the Pension Commission: For salaries, \$3,-300.00, for other expenses, \$580.00, total, \$3,880.00; payable out of the proceeds from the levy of the one-mill tax for the relief of needy Confederate veterans and their widows.

XX. PUBLIC SCHOOL FUND:

For the Public School Fund, the amount appropriated from the Special Educational Trust Fund, together with all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258, and 260 of the Constitution of 1901; provided, that not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

XXI. ALABAMA MILK CONTROL BOARD:

For salaries	25,000.00	
For other expenses.....	14,500.00	
For equipment purchases.....	500.00	
	<hr/>	
Total		40,000.00

(The appropriation herein made shall be paid out of the funds in the Alabama Milk Control Board Fund; and the appropriation made here is in lieu of the indefinite appropriation made by Section 221 of Title 22 of the Code of Alabama (1940),

and the amount specified here is the maximum amount to be expended for any object indicated therein.)

XXII. DEPARTMENT OF PUBLIC SAFETY:

(1) HIGHWAY PATROL DIVISION:

For the salary of the Director of Public Safety	5,700.00	
For other salaries.....	588,800.00	
For other expenses.....	227,650.00	
For equipment purchases.....	100,500.00	
Total		922,650.00

(2) DRIVERS LICENSE DIVISION:

For salaries	96,800.00	
For other expenses.....	42,700.00	
For equipment purchases.....	250.00	
Total		139,750.00

(3) RADIO DIVISION:

For salaries	115,000.00	
For other expenses.....	35,000.00	
For equipment purchases.....	10,000.00	
Total		160,000.00

Grand Total		1,222,400.00
-------------------	--	--------------

(The appropriations herein made shall be paid out of the funds in the Highway Patrol Fund as authorized by Article 1, Title 36 of the Code of Alabama (1940) and all of the expenditures under this appropriation shall conform to the provisions of Article 3, Chapter 4, of Title 55 of the Code of Alabama (1940) and shall be limited in expenditure to the amounts hereinabove set out.)

XXIII. ALCOHOLIC BEVERAGE CONTROL:

(1) Law Enforcement:

For salaries	215,000.00	
For other expenses.....	100,000.00	
For equipment purchases.....	15,000.00	
Total		330,000.00

(The above appropriations shall be paid out of the Alcoholic Beverage Control Stores Fund and all expenditures under this appropriation shall con-

form to the provisions of Article 3, Chapter 4, Title 55 of the Code of Alabama (1940) and the appropriations hereinabove made shall be considered the maximum amount to be expended therefrom. The expenditure under this appropriation shall be limited to the enforcement of the Alcoholic Beverage Control laws and the rules and regulations of the Alcoholic Beverage Control Board and for no other purpose.)

(2) For the Alabama Alcoholic Beverage Control Board: For the salaries of ABC Board members, other salaries and other expenses, exclusive of the expense of acquiring goods for resale, incidental to the operation of the Alabama Beverage Control System, out of the receipts of the ABC Stores, such sums as may be necessary, not to exceed four percent of the gross receipts of the business in any fiscal year.

XXIV. DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item V (9) of this Appropriation Bill	9,200.00
---	----------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Sales Tax Fund as part of the cost of collection as provided in Section 784, Title 51, Code of Alabama (1940)	69,920.00
---	-----------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Income Tax Fund as part of the cost of collection as provided by Constitutional Amendment No. LXI	27,600.00
---	-----------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Tobacco Tax Fund as part of the cost of collection as provided in Section 739, of Title 51, Code of Alabama (1940)	16,520.00
--	-----------

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Gasoline Tax Fund, as part of the cost of collection as provided by Section 647, Title 51, Code of Alabama (1940)

60,720.00

Total 183,960.00

The monies herein appropriated shall be expended only as follows:

(1) DEPARTMENT OF REVENUE—
ADMINISTRATIVE ACCOUNT:

For the salary of the Commissioner.... 5,700.00
For other salaries..... 150,000.00
For other expenses..... 26,260.00
For equipment purchases..... 2,000.00

Total 183,960.00

(2) DEPARTMENT OF REVENUE—
AUTO LICENSE DIVISION:

For salaries 42,300.00
For other expenses..... 211,500.00
For equipment purchases..... 900.00

Total 254,700.00

(This appropriation shall be paid out of the Auto License Fund and is in lieu of the indefinite appropriation provided in Section 713, Title 51, Code of Alabama (1940), and the amount specified here is the maximum amount to be expended from said fund for the collection of auto license taxes.)

(3) DEPARTMENT OF REVENUE—
AVIATION GASOLINE DIVISION:

For salaries 3,600.00
For other expenses..... 125.00

Total 3,725.00

(This appropriation shall be paid out of the Airport Development Fund and is in lieu of the indefinite appropriation provided by Section 647, Title 51, Code of Alabama (1940), as amended, and the amount specified here is the maximum amount to be expended out of said fund for the collection of taxes on aviation gasoline.)

(4) DEPARTMENT OF REVENUE—
FINANCIAL INSTITUTIONS
EXCISE TAX DIVISION:

For salaries	8,400.00
For other expenses.....	475.00
For equipment purchases.....	550.00

Total	9,425.00
-------------	----------

(This appropriation shall be paid out of the Financial Institutions Excise Tax Fund and is in lieu of the indefinite appropriation provided by Section 429, Title 51, Code of Alabama (1940), and the amount specified here is the maximum amount to be expended out of said fund for the collection of the financial institutions excise tax.)

(5) DEPARTMENT OF REVENUE—
GASOLINE TAX DIVISION:

For salaries	130,000.00
For other expenses.....	37,000.00
For equipment purchases.....	3,000.00

Total	170,000.00
-------------	------------

(This appropriation shall be paid out of the Public Road and Bridge Fund and is in lieu of the indefinite appropriations provided by Sections 647 and 655, Title 51, Code of Alabama (1940) and Act No. 590, approved June 27, 1940, and the amount specified here is the maximum amount to be expended from said fund for the collection of taxes on gasoline and motor fuels.)

(6) DEPARTMENT OF REVENUE—
INCOME TAX DIVISION:

For salaries	108,000.00
For other expenses.....	38,000.00
For equipment purchases.....	2,500.00

Total	148,500.00
-------------	------------

(This appropriation shall be paid out of the Income Tax Fund and is in lieu of the indefinite appropriation provided by Section 424, Title 51, Code of Alabama (1940), and, except for the transfer herein made to the administrative account, the amount specified here is the maximum to be expended from said fund for the collection of income taxes.)

(7) DEPARTMENT OF REVENUE—
MOTOR CARRIER DIVISION:

For salaries	37,800.00	
For other expenses	18,000.00	
For equipment purchases	1,000.00	
<hr/>		
Total		56,800.00

(This appropriation shall be paid out of the Motor Carrier Fund and is in lieu of the indefinite appropriation provided by Section 19 of Act No. 664, approved July 5, 1940, and the amount specified here is the maximum amount to be expended from said fund for the collection of the mileage tax.)

(8) DEPARTMENT OF REVENUE—
SALES TAX DIVISION:

For salaries	450,000.00	
For salaries for extra clerical help in audit of wholesale firms	45,000.00	
For other expenses	189,000.00	
For equipment purchases	5,000.00	
<hr/>		
Total		689,000.00

(These appropriations shall be paid out of the Sales Tax Fund and are in lieu of the indefinite appropriation provided by Section 784, Title 51, Code of Alabama (1940), and, except for the transfers herein made to the administrative account, the amounts specified here are the maximum amounts to be expended from said fund for the collection of sales taxes.)

(9) DEPARTMENT OF REVENUE—
SPECIAL STATE FORESTRY
DIVISION:

For salaries	13,800.00	
For other expenses	9,650.00	
For equipment purchases	300.00	
<hr/>		
Total		23,750.00

(This appropriation shall be paid out of the Special State Forestry Fund and is in lieu of the appropriation provided by Section 5 of Act No. 169, approved June 23, 1945, and the amount specified here is the maximum amount to be expended from said fund for the collection of the forest products severance tax.)

(10) DEPARTMENT OF REVENUE—
STORE LICENSE DIVISION:

For salaries	15,000.00
For other expenses	7,000.00

Total	22,000.00
-------------	-----------

(This appropriation shall be paid out of the Alabama Special Educational Trust Fund-Store License Fund and is in lieu of the indefinite appropriation provided by Section 629, Title 51, Code of Alabama (1940), and the amount specified here is the maximum amount to be expended from said fund for the collection of store license taxes.)

(11) DEPARTMENT OF REVENUE—
TOBACCO TAX DIVISION:

For salaries	40,000.00
For other expenses	74,500.00
For equipment purchases	500.00

Total	115,000.00
-------------	------------

(This appropriation shall be paid out of the Alabama Special Educational Trust Fund-Tobacco Tax and is in lieu of the indefinite appropriation provided by Section 739, Title 51, Code of Alabama (1940), and, except for the transfer herein made to the administrative account, the amount specified here is the maximum amount to be expended from said fund for the collection of the tobacco tax.)

(12) DEPARTMENT OF REVENUE—
USE TAX DIVISION:

For salaries	31,500.00
For other expenses	13,500.00
For equipment purchases	300.00

Total	45,300.00
-------------	-----------

(This appropriation shall be paid out of the Alabama Special Educational Trust Fund-Use Tax and is in lieu of the indefinite appropriation provided by Section 808, Title 51, Code of Alabama (1940), and the amount specified here is the maximum amount to be expended from said fund for the collection of the use tax.)

Grand Total for Revenue Department	1,722,160.00
--	--------------

Section 2. Any surplus remaining in any appropriation herein made from the general fund for the payment of salaries in any

office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the general fund for the payment of all salaries in any office, department, bureau, board, commission or other agency when the appropriation herein made from the general fund for the payment of salaries in that office, department, bureau, board, commission or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission or other agency according to the pay plan recommended by the personnel board, and approved by the Governor.

Section 3. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. The amounts herein appropriated shall be considered as the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for in any items of expense exceed the amount allocated herein except for those appropriations designated as "estimated;" and any fees, receipts, income, or moneys collected or received by any department, board, bureau, commission, office or institution as a result of the sale or disposition of any personal property in use by any department, board, bureau, commission, office, or institution are not appropriated for additional expenditure.

Section 4. Nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school, or other institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts, or income therefrom, which it is now or may hereafter be authorized to receive, collect or disburse.

Section 5. The appropriations herein made, except appropriations to eleemosynary institutions, are and shall be subject to the terms, conditions, provisions, and limitations of the Budget and Financial Control Act.

Section 6. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, the holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 7. All laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act are hereby expressly repealed.

Section 8. This Act shall become effective October 1, 1949.

Mr. Hardwick moved to lay on the table the substitute offered by Mr. Lowe for the substitute for the bill, H. B. 52.

At 6:25 P. M. Mr. Allen moved that the Senate do now adjourn until Tuesday, August 23, 1949, at 12:01 A. M., which motion was lost.

Yeas 8; Nays 22.

Yeas:

Messrs.: Allen Burnside	Gulledge Harvey	Henderson Kendall	Langan Patterson	—8
-------------------------------	--------------------	----------------------	---------------------	----

Nays:

Messrs.: Barrett Boutwell Bridges Cater Clayton	Coleman Fite Gaither Hardwick Howle Hughes	Kimbrell Lamberth Lowe Mize Patton Perry	Quarles Russell Summerlin Swift Wright	—22
--	---	---	--	-----

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in session, has carefully examined the Journals of the Senate for the Thirtieth and Thirty-first Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

V. S. SUMMERLIN,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Summerlin, said report was concurred in and the Journals of the Senate for the Thirtieth and Thirty-first Legislative Days approved by the Senate.

ADJOURNMENT

At 6:30 P. M. on motion of Mr. Kimbrell and pending further consideration of H. B. 52, the Senate adjourned until Tuesday, August 23, 1949, at 9:00 A. M.

Yeas 17; Nays 12.

Yeas:

Messrs.:	Gaither	Howle	Langan	
Barrett	Gulledge	Hughes	Lowe	
Burnside	Hardwick	Kimbrell	Patton	
Coleman	Harvey	Lamberth	Quarles	
Fite	Henderson			—17

Nays:

Messrs.:	Cater	Mize	Russell	
Allen	Clayton	Patterson	Summerlin	
Boutwell	Kendall	Perry	Swift	
Bridges				—12

THIRTY-THIRD LEGISLATIVE DAY

TUESDAY, AUGUST 23, 1949

The Senate met pursuant to adjournment, Lieutenant Governor Inzer presiding.

PRAYER

The session was opened with prayer by Rev. Henry L. Lyons, Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Clayton	Howle	Patton	
Allen	Coleman	Hughes	Perry	
Barrett	Fite	Kendall	Quarles	
Boutwell	Glover	Lamberth	Summerlin	
Bridges	Gulledge	Langan	Swift	
Burnside	Hardwick	Lowe	Wright	
Cater	Harvey	Patterson		—26

JOURNAL

On motion of Mr. Boutwell the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

MOTION

Mr. Boutwell moved that the Senate recess at 9:45 A. M. this morning, to attend the funeral of Mrs. W. H. Cooper, wife of Honorable W. H. Cooper, and to reconvene at 2:00 o'clock this afternoon, which motion was adopted.

REPORTS OF COMMITTEES

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had

acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Thompson (Crenshaw) (with amendment):

H. 134. To make an appropriation for the support of the Council of State Governments.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Adams (Jefferson) and Morring:

H. 428. To provide state aid in the promotion of bona fide agricultural fairs and to make an appropriation for that purpose.

By Messrs. Russell and Boutwell:

S. 648. To make an additional appropriation to the Supreme Court of Alabama for each of the fiscal years 1949-50 and 1950-51.

By Messrs. Russell and Boutwell:

S. 649. To make an additional appropriation to the Court of Appeals of Alabama for each of the fiscal years 1949-50 and 1950-51.

By Messrs. Russell and Boutwell:

S. 650. To make an additional appropriation to the Office of the Attorney General of Alabama for each of the fiscal years 1949-50 and 1950-51.

By Messrs. Russell and Boutwell:

S. 651. To make an additional appropriation to the Department of Health of Alabama for each of the fiscal years 1949-50 and 1950-51.

By Mr. Coleman:

S. 656. To make an appropriation to the Richmond Pearson Hobson Memorial Board for each of the fiscal years 1949-50 and 1950-51.

By Mr. Boutwell:

S. 654. To make an additional appropriation to the Office of the Secretary of State for the fiscal years ending September 30, 1950 and September 30, 1951.

By Mr. Kendall:

S. 658. To make an additional appropriation to the Legislative Reference Service of Alabama for each of the fiscal years 1949-50 and 1950-51.

By Mr. Gaither:

S. 653. To make an additional appropriation to the Division

of Service of the State Department of Finance for the fiscal years ending September 30, 1950 and September 30, 1951.

By Mr. Allen:

S. 657. To make an additional appropriation to the Division of Control and Accounts of the State Department of Finance for the fiscal years ending September 30, 1950 and September 30, 1951.

By Messrs. Inzer and Roberts:

H. 1058. To make an appropriation to the State Training School for Girls.

RESOLUTION

Mr. Allen offered the following Senate Joint Resolution, to-wit:

SENATE JOINT RESOLUTION

S. J. R. 75. Whereas, the members of the Legislature are grieved at the death of Mrs. W. H. Cooper, and

Whereas, they wish to express their regret at her passing and their sympathy for her surviving family, now therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. The members of the Legislature hereby extend their sympathy to the surviving members of the family of Mrs. W. H. Cooper.

2. The Legislature shall recess during the time of the funeral of Mrs. W. H. Cooper as a token of respect for her memory and of sympathy for her family.

3. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the family of Mrs. W. H. Cooper.

On motion of Mr. Allen, the rules were suspended and the resolution adopted by the Senate.

NOTICE IN WRITING

Mr. Swift offered the following notice in writing:

Mr. President and Members of the Senate:

In accordance with Rule 49 of the Rules of the Senate, I hereby give notice in writing that I will move on the next Legislative Day to amend Rule 1 as follows:

Rule 1. The President having taken the Chair, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistakes may be corrected that shall be made in the entry; provided, however, on the thirty-fifth and thirty-sixth Legislative Days of the 1949 Session, the reading of the Journal may be dispensed with by a majority vote of the Senate,

which vote shall be taken forthwith and without debate immediately on a motion therefor.

G. R. SWIFT.

Which was read and ordered spread upon the Journal.

BILLS ON THIRD READING

The Bill:

H. 992. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof.

was taken up.

Mr. Cater offered the following amendment to the bill, to-wit:

AMENDMENT NO. 1

Amend Section 2 (f) House Bill 992 to read:

(f) To establish, after consultation with the governing body of the county and the governing body of municipalities and the elective officials of the county, coming within the provisions of this act, a pay plan for all employees in the classified service. Such pay plan shall include, for each class of positions, a minimum and a maximum rate or rates as may otherwise in specific instances be fixed by law and such intermediate rates as may be deemed necessary or advisable by the personnel board.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hardwick	Lowe
Allen	Clayton	Harvey	Patterson
Barrett	Coleman	Kendall	Perry
Boutwell	Fite	Lamberth	Quarles
Bridges	Glover	Langan	Summerlin
Burnside	Gulledge		

—21

Nays:

—0

Mr. Cater also offered the following amendment to the bill, as amended, to-wit:

AMENDMENT NO. 2

Amend Section 4 (h) House Bill 992 to read:

(h) One private secretary or executive assistant of a member of the governing body of such municipality, the bailiff appointed by each judge of the circuit court, and two clerks to be designated by each county elective official and also the Register of the Circuit Court except the member of the Board of Revenue; and any employee receiving his compensation from any elected official of the county.

Offices, positions and employments not exempted above shall constitute the competitive or classified service of the county and affected municipalities. It is intended hereby to include within the competitive or classified service all offices, positions and employments in each such county and any such municipalities therein as these offices, positions and employment now exist, or as they may hereafter exist, the holders of which are paid, whether by salaries, wages and fees, in whole or in part from funds of any such county or municipality, or the holders of which receive their compensation from any elected official and perform duties pertaining to the office of such elected official or officer except those hereinabove enumerated in this Section. It is also intended hereby that the competitive or classified service shall include all personnel of any public corporation, board, committee, or commission, appointed or created by the governing body of any such county or municipality whether the salaries, wages or compensation of such officers or employees are paid directly by such county or municipality; provided, however, the appointed members of any such public corporation, board, committee or commission shall not be included in the competitive or classified service.

(i) One clerk, deputy or employee to be named by the Clerk of the Circuit Court for his office, and one clerk, deputy or employee to be named by the Register of the Circuit Court for his office.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Barrett
Cater
Clayton
Coleman

Fite
Glover
Gulledge
Hardwick
Harvey
Howle

Hughes
Kendall
Lamberth
Langan
Lowe

Patterson
Patton
Perry
Quarles
Summerlin

—21

Nays:

—0

Mr. Cater also offered the following amendment to the bill, as amended, to-wit:

AMENDMENT NO. 3

Amend Section 12 House Bill 992 to read:

Section 12. Whenever in the judgment of the governing body of the county or municipality or any elected county official it becomes necessary in the interest of economy or because the necessity for any position in its or his department no longer exists, it or he may abolish any position or employment in the competitive service and lay off the employee holding such position or employment without filing written charges and without the right of appeal. The name of such an employee so laid off shall be placed at the top of the appropriate employment list or lists as provided by the rules.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Kendall	Perry	
Allen	Fite	Lamberth	Quarles	
Barrett	Glover	Langan	Summerlin	
Bridges	Gulledge	Lowe	Swift	
Cater	Harvey	Patterson	Wright	
Clayton	Howle			—21

Nays:

—0

Mr. Cater also offered the following amendment to the bill, as amended, to-wit:

AMENDMENT NO. 4

Amend Section 5 (g) to read as follows: H. B. 992

(g) The transfer, promotion, demotion and reinstatement of employees in the competitive service; provided that no person shall be transferred, promoted or demoted without the approval of the officer in whom the power to make the appointment is vested by law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patterson	
Allen	Fite	Kendall	Quarles	
Barrett	Glover	Lamberth	Summerlin	
Burnside	Gulledge	Langan	Swift	
Cater	Hardwick	Lowe	Wright	
Clayton	Harvey			—21

Nays:

—0

Mr. Cater also offered the following amendment to the bill, as amended, to-wit:

AMENDMENT NO. 5

Amend Section 5 (i) to read:

(i) The standardization of hours of work, attendance and leave, regulations, working conditions, and the development of employee morale, welfare and training. Provided, that no rule or regulation shall prohibit or prevent any employee from working overtime should it be necessary in the public interest in the opinion of the officer in whom the power to make appointments is vested by law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Kendall	Patton	
Allen	Fite	Lamberth	Perry	
Barrett	Glover	Langan	Quarles	
Boutwell	Gulledge	Lowe	Summerlin	
Cater	Harvey	Patterson	Swift	
Clayton	Howle			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Patton	
Allen	Glover	Lamberth	Quarles	
Barrett	Gulledge	Langan	Summerlin	
Bridges	Hardwick	Lowe	Swift	
Cater	Harvey	Patterson	Wright	
Clayton	Hughes			—21

Nays: —0

The Bill:

H. 998. To regulate the trials of Civil Cases in Jefferson County.

was taken up.

Mr. Boutwell offered the following amendment to the bill, to-wit:

Amend Section 8 of House Bill No. 998 by striking the words and figures Five Thousand and Four Hundred Dollars (\$5,400.00) and inserting in lieu thereof the words and figures Six Thousand Dollars (\$6,000.00).

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Perry	
Allen	Fite	Kendall	Quarles	
Barrett	Glover	Lamberth	Summerlin	
Boutwell	Gulledge	Langan	Swift	
Cater	Hardwick	Lowe	Wright	
Clayton	Harvey			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Lamberth	Perry	
Allen	Glover	Langan	Quarles	
Boutwell	Gulledge	Lowe	Summerlin	
Cater	Hardwick	Patterson	Swift	
Clayton	Harvey	Patton	Wright	
Coleman	Kendall			—21

Nays: —0

The Bill:

S. 638. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Perry	
Allen	Fite	Kendall	Quarles	
Barrett	Glover	Lamberth	Summerlin	
Boutwell	Gulledge	Langan	Swift	
Cater	Hardwick	Lowe	Wright	
Clayton	Harvey			—21

Nays: —0

The Bill:

S. 629. To provide for the combination of the Offices of License Inspector or Department of Revenue or any like office or department and the Office of Commissioner of Licenses or any like office or department in any county having a population of 400,000 or more according to the last or any succeeding Federal Census whenever the Offices of License Inspector or Director of

Revenue or Commissioner of Licenses in any such county shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law and to provide for the salary of such Director and to provide for the employees of such Department of Revenue.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patterson	
Allen	Fite	Kendall	Patton	
Barrett	Glover	Lamberth	Perry	
Boutwell	Gulledge	Langan	Quarles	
Bridges	Harvey	Lowe	Summerlin	
Clayton	Howle			—21

Nays:

—0

The Bill:

S. 178. To amend Section 17 of Title 38 of the Code of Alabama of 1940, relating to Car Repairers, Machinists, Boilermakers, Electricians, their Helpers and Apprentices, Firemen and Oilers, and Shop Laborers, Maintenance of Way and other Railway employees.

was taken up.

The Standing Committee on Seaports reported the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 178

A BILL TO BE ENTITLED AN ACT

To amend Section 17, Title 38, Chapter 1, Code of Alabama 1940.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 17, Title 38, Chapter 1, Code of Alabama 1940, be amended to read as follows: Section 17. State may acquire, etc., terminal railroads.—The state through the department shall have the power and authority to acquire, own, lease, locate, install, construct, hold, maintain, control and operate at seaports a line of terminal railroads with necessary sidings, turn outs, spurs, branches, switches, yard tracks, bridges, trestles, and causeways and in connection therewith or appurtenant thereto shall have the further right to lease, install, construct, acquire, own, maintain, control and use any and all kinds or characters of

motive power and conveyances or appliances necessary or proper to carry passengers, goods, wares, and merchandise over, along or upon the tracks of such railroads or other conveyances. And the state, acting through the said department, shall have the right and authority to make agreements as to scale of wages, seniority and working conditions with locomotive engineers, locomotive firemen, switchmen and switch engine foremen, hostlers, and all other Alabama State Docks and Terminals railroad employees engaged in the operation of the terminal railroads provided for in this section, and the service and equipment pertinent thereto. And should the said department exercise the authority herein given then in such event it shall be the duty of the said department to make such agreements with said employees hereinabove specified, in accordance with the act of congress known as the Railway Labor Act (U.S.C. Title 45, sections 151-163) as amended or as hereafter amended to the end that the same agreements as to seniority and working conditions will obtain as to said employees and the standard rate of pay be provided, as are in force relative to like employees of interstate railroads operating in the same territory with terminal railroads authorized hereby. The state, acting through the said department, shall have the right and authority with its terminal railroads to connect with or cross any other railroad upon the payment of just compensation and to receive, deliver to and transport the freight, passengers, and cars of common carrier railroads as though it were an ordinary common carrier.

Section 2. If any sentence, clause, phrase, or other portion or alternative of this Act shall be held invalid for any reason, such invalidity shall not affect the validity of the other portions of the Act.

Section 3. This Act shall become effective immediately upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patterson
Allen	Glover	Kendall	Patton
Barrett	Gulledge	Lamberth	Perry
Bridges	Hardwick	Langan	Quarles
Clayton	Harvey	Lowe	Summerlin
Coleman	Howle		

—21

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patterson	
Allen	Fite	Kendall	Patton	
Barrett	Glover	Lamberth	Perry	
Boutwell	Gulledge	Langan	Quarles	
Cater	Harvey	Lowe	Summerlin	
Clayton	Howle			—21

Nays: —0

The Bill:

H. 1037. To create an Election Commission for all cities of twenty thousand inhabitants and not over thirty thousand inhabitants in counties having four hundred thousand population or over according to the last or any subsequent Federal Census; to provide that the probate judge, sheriff and clerk of the Circuit Court of the county, within which such city or cities are located shall constitute such commission and to define the powers and duties of the same.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Fite	Hughes	Patton	
Barrett	Glover	Kendall	Perry	
Boutwell	Gulledge	Lamberth	Quarles	
Cater	Hardwick	Lowe	Summerlin	
Clayton	Harvey			—21

Nays: —0

The Bill:

H. 1034. To amend Section 11 of an act of the Legislature approved July 6, 1945, (General Acts of Alabama, Regular Session 1945, pages 376-400) entitled "AN ACT To create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health

and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patterson	
Allen	Fite	Kendall	Patton	
Barrett	Glover	Lamberth	Perry	
Boutwell	Gulledge	Langan	Quarles	
Bridges	Harvey	Lowe	Swift	
Clayton	Howle			—21

Nays: —0

The Bill:

H. 1033. To fix the compensation or salary of the Judge of Probate of Jefferson County, Alabama, and to regulate the payment thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patterson	
Allen	Glover	Kendall	Patton	
Barrett	Gulledge	Lamberth	Perry	
Boutwell	Hardwick	Langan	Quarles	
Clayton	Harvey	Lowe	Summerlin	
Coleman	Howle			—21

Nays: —0

The Bill:

H. 1036. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Etowah County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said Library, or to assist therein, and the employment of additional personnel for said purpose, and the payment of the salaries of such personnel.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Lamberth	Perry	
Allen	Gulledge	Langan	Quarles	
Barrett	Harvey	Lowe	Summerlin	
Boutwell	Howle	Patterson	Swift	
Coleman	Hughes	Patton	Wright	
Fite	Kendall			—21

Nays: —0

The Bill:

H. 953. To extend, alter and rearrange the boundary lines and corporate limits of the City of Summerdale, in Baldwin County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Howle	Lowe	
Allen	Coleman	Hughes	Perry	
Barrett	Fite	Kendall	Quarles	
Boutwell	Glover	Lamberth	Swift	
Bridges	Gulledge	Langan	Wright	
Burnside	Harvey			—21

Nays: —0

The Bill:

H. 1039. For the relief of Lillie Mae White, Willie White and James Edward White, dependent widow and minor sons of Jim White, deceased, by the payment to them of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for death of the said Jim White on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Lillie Mae White, Willie White, and James Edward White, dependent widow and minor sons of Jim White, deceased, have no recourse at law.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Fite	Harvey
Allen	Clayton	Glover	Howle
Barrett	Coleman	Gulledge	Kendall

Lamberth	Patterson	Quarles	Swift	
Langan	Patton	Summerlin	Wright	
Lowe	Perry			—21
<i>Nays:</i>				—0

The Bill:

H. 1040. For the relief of Cleveland Rice, dependent sister of Jeff White, deceased, by the payment to her of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for death of the said Jeff White on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Cleveland Rice, dependent sister of Jeff White, deceased, has no resource at law.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Fite	Kendall	Quarles	
Barrett	Glover	Lamberth	Summerlin	
Boutwell	Gulledge	Langan	Swift	
Cater	Hardwick	Lowe	Wright	—21
Clayton	Harvey			—0
<i>Nays:</i>				—0

The Bill:

H. 1009. To impose extra, new, and additional duties upon the members of the Board of County Commissioners of Bibb County and to provide additional compensation for the performance of such duties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Harvey	Lowe	
Allen	Coleman	Howle	Patterson	
Barrett	Fite	Kendall	Patton	
Boutwell	Glover	Lamberth	Perry	
Bridges	Gulledge	Langan	Quarles	—21
Cater	Hardwick			—0
<i>Nays:</i>				—0

The Bill:

H. 984. Relating to Choctaw County: To amend Section 2 of Act No. 156, H. B. 129, approved July 15, 1927 (Local Acts of Ala-

bama, 1927, p. 67), entitled "An Act to provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office," as amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Howle	Perry	
Allen	Coleman	Kendall	Quarles	
Barrett	Fite	Lamberth	Summerlin	
Boutwell	Glover	Langan	Swift	
Bridges	Gulledge	Lowe	Wright	
Burnside	Harvey			—21

Nays: —0

The Bill:

H. 986. Relating to Franklin County: To change the method of compensating the Probate Judge, placing him on a salary, and providing him a clerk hire allowance, office space, and equipment.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Howle	Patterson	
Allen	Coleman	Hughes	Patton	
Barrett	Fite	Kendall	Perry	
Boutwell	Glover	Lamberth	Quarles	
Bridges	Gulledge	Lowe	Summerlin	
Burnside	Harvey			—21

Nays: —0

The Bill:

H. 985. To abolish the Court of County Revenues of Franklin County as it now exists and to establish in lieu thereof a Board of Revenue of Franklin County; to provide for its organization, powers, jurisdiction and duties; to provide for the qualifications, election and compensation of its members; to repeal all acts heretofore enacted relative to the Court of County Revenues of Franklin County and especially Act No. 479, S. 222, approved February 27, 1901, Acts of Alabama 1900, page 1203; and providing that this Act shall become effective upon its approval by the qualified electors of Franklin County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Harvey	Lowe
Allen	Coleman	Howle	Patterson
Barrett	Fite	Kendall	Perry
Boutwell	Glover	Lamberth	Quarles
Bridges	Gulledge	Langan	Summerlin
Cater	Hardwick		

—21

Nays:

—0

The Bill:

H. 1049. Levying in Colbert County, Alabama, additional special privilege or license taxes and excise taxes paralleling, with like provisions in Colbert County, such States taxes as are levied by the State by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, except that only twenty-five per centum of the State levy provided by subdivision (a) of said Section 753 and by subdivision (c) of said Section 753 is hereby made and is to be collected hereunder in Colbert County, that only fifty per centum of the State levy provided by subdivision (b) of said Section 753 is hereby made and is to be collected hereunder in Colbert County, and that only fifty per centum of the State levy provided by said Section 788 is hereby made and is to be collected hereunder in Colbert County; and providing for the collection thereof; and providing that the taxes herein levied shall be collected by and paid to the Custodian of the Public School Funds of Colbert County in his official capacity, and providing for compensation to said Custodian and for clerk hire and other expenses incurred by him in the collection, handling, and disbursing of said moneys; and providing for the distribution of all such revenue arising from the levy herein made to the Board of Education of the City of Tuscumbia, to the Board of Education of the City of Sheffield and to the County Board of Education of Colbert County, and providing for the apportionment of said revenue among said boards; and providing that the taxes herein levied shall constitute a debt due Colbert County for the use and benefit of said Boards of Education; and providing that said taxes shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Colbert County except as herein otherwise specifically provided; and providing that the taxes as herein levied, together with the interest and penalties imposed by this act, shall be a lien upon the property of any person, firm or corporation due said taxes under the provisions of this act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes

herein levied; and providing when said taxes shall be due and collectible and providing the manner and methods for collecting the same; and providing that each tax payer may comply with the provisions of this act by filing with the Custodian of the Public School Funds of Colbert County a copy of the report made by him to the Commissioner of Revenue of the State of Alabama, and paying to said Custodian the tax due according to said report computed according to the percentages levied by this act, without making other reports or payments; and providing that all laws and parts of laws in conflict with any provision of this act are hereby repealed; and providing that if any section, clause or provision of this act shall be, or declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid; and providing when this act shall take effect; and providing that all revenue arising from the levy herein made and distributed to the Board of Education of the City of Tuscumbia shall be used exclusively for public school purposes in said City of Tuscumbia and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said City of Tuscumbia, and that all such revenue arising from the levy herein made and distributed to the Board of Education of the City of Sheffield shall be used exclusively for public school purposes in said City of Sheffield and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said City of Sheffield, and that all such revenue arising from the levy herein made and distributed to the County Board of Education of Colbert County shall be used exclusively for public school purposes in said County outside the City limits of the Cities of Tuscumbia and Sheffield and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said County outside the City limits of the Cities of Tuscumbia and Sheffield, and providing that each of said Boards shall have the right and authority to pledge its respective share of the revenue arising from the taxes herein levied as security for debts incurred in the future or for warrants issued in the future for such public school purposes.

WHEREAS, Colbert County has recently become the center of vast industries and has gained rapidly in population, and every public school in the County has a large increase in enrollment; and

WHEREAS, it is imperative that the County provide more adequate school buildings and equipment and a broadened school program, and it is necessary to provide more revenue to meet this great and growing need;

Therefore.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patterson
Allen	Fite	Kendall	Quarles
Barrett	Glover	Lamberth	Summerlin
Boutwell	Gulledge	Langan	Swift
Bridges	Harvey	Lowe	Wright
Burnside	Howle		

—21

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Langan, further consideration of the bill, S. B. 533, was indefinitely postponed by the Senate.

RECESS

At 9:45 A. M. in accordance with motion heretofore adopted, the Senate took a recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

THIRTY-THIRD LEGISLATIVE DAY

TUESDAY, AUGUST 23, 1949

The Senate re-assembled at 2:00 P. M., Lieutenant Governor Inzer presiding.

ROLL CALL

Present:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright
Coleman	Hooton	Owens	

—34

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

By Messrs. Ingalls, Busby, Pinkston and Sightler:

H. 992. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a per-

sonnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 998. To regulate the trials of Civil Cases in Jefferson County.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 941. To amend Section 1 of Act 177 approved June 17, 1943, as amended by Section 1 of Act 89, approved July 7, 1947, which fixes the compensation of the Sheriff of Montgomery County and provides for help and assistants and other expenses in the office of the Sheriff, by increasing the allowance for help and assistants.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after it's title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 953. To extend, alter and rearrange the boundary lines and corporate limits of the City of Summerdale, in Baldwin County, Alabama.

Also:

H. 984. Relating to Choctaw County: To amend Section 2 of Act No. 156, H. B. 129, approved July 15, 1927 (Local Acts of Alabama, p. 27, p. 67), entitled "An Act to provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office," as amended.

Also:

H. 985. To abolish the Court of County Revenues of Franklin County as it now exists and to establish in lieu thereof a Board of Revenue of Franklin County; to provide for its organization, powers, jurisdiction and duties; to provide for the qualifications, election and compensation of its members; to repeal all acts heretofore enacted relative to the Court of County Revenues of Franklin County and especially Act No. 479, S. 222, approved February 27, 1901, Acts of Alabama 1900, page 1203; and providing that this Act shall become effective upon its approval by the qualified electors of Franklin County.

Also:

H. 986. Relating to Franklin County: To change the method of compensating the Probate Judge, placing him on a salary, and providing him a clerk hire allowance, office space, and equipment.

Also:

H. 992. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 100,000 people and not more than 140,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; and repealing all laws or parts of laws inconsistent with the provisions hereof.

Also:

H. 998. To regulate the trials of Civil Cases in Jefferson County.

Also:

H. 1009. To impose extra, new, and additional duties upon the members of the Board of County Commissioners of Bibb County and to provide additional compensation for the performance of such duties.

Also:

H. 1033. To fix the compensation or salary of the Judge of Probate of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 1034. To amend Section 11 of an act of the Legislature approved July 6, 1945, (General Acts of Alabama, Regular Session 1945, pages 376-400) entitled "An Act To create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties;

to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof."

Also:

H. 1036. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Etowah County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said Library, or to assist therein, and the employment of additional personnel for said purpose, and the payment of the salaries of such personnel.

Also:

H. 1037. To create an Election Commission for all cities of twenty thousand inhabitants and not over thirty thousand inhabitants in counties having four hundred thousand population or over according to the last or any subsequent Federal Census: to provide that the probate judge, sheriff and clerk of the Circuit Court of the county, within which such city or cities are located shall constitute such commission and to define the powers and duties of the same.

Also:

H. 1039. For the relief of Lillie Mae White, Willie White and James Edward White, dependent widow and minor sons of Jim White, deceased, by the payment to them of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for death of the said Jim White on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama, while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Lillie Mae White, Willie White, and James Edward White, dependent widow and minor sons of Jim White, deceased, have no recourse at law.

Also:

H. 1040. For the relief of Cleveland Rice, dependent sister of Jeff White, deceased, by the payment to her of moneys not otherwise appropriated in the General Fund of Baldwin County, Alabama, as compensation for death of the said Jeff White on the 4th day of December, 1947, as the proximate result of the negligence of an employee of Baldwin County, Alabama while operating a truck of Baldwin County, Alabama, in and about the scope of his business, under circumstances and conditions that the said Cleveland Rice, dependent sister of Jeff White, deceased, has no recourse at law.

Also:

H. 1049. Levying in Colbert County, Alabama, additional special privilege or license taxes and excise taxes paralleling, with like provisions in Colbert County, such State taxes as are levied by the State by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, except that only twenty-five per centum of the State levy provided by subdivision (a) of said

Section 753 and by subdivision (c) of said Section 753 is hereby made and is to be collected hereunder in Colbert County, that only fifty per centum of the State levy provided by subdivision (b) of said Section 753 is hereby made and is to be collected hereunder in Colbert County, and that only fifty per centum of the State levy provided by said Section 788 is hereby made and is to be collected hereunder in Colbert County; and providing for the collection thereof; and providing that the taxes herein levied shall be collected by and paid to the Custodian of the Public School Funds of Colbert County in his official capacity, and providing for compensation to said Custodian and for clerk hire and other expenses incurred by him in the collection, handling, and disbursing of said moneys; and providing for the distribution of all such revenue arising from the levy herein made to the Board of Education of the City of Tuscumbia, to the Board of Education of the City of Sheffield and to the County Board of Education of Colbert County, and providing for the apportionment of said revenue among said boards; and providing that the taxes herein levied shall constitute a debt due Colbert County for the use and benefit of said Boards of Education; and providing that said taxes shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Colbert County except as herein otherwise specifically provided; and providing that the taxes as herein levied, together with the interest and penalties imposed by this act, shall be a lien upon the property of any person, firm or corporation due said taxes under the provisions of this act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes herein levied; and providing when said taxes shall be due and collectible and providing the manner and methods for collecting the same; and providing that each tax payer may comply with the provisions of this act by filing with the Custodian of the Public School Funds of Colbert County a copy of the report made by him to the Commissioner of Revenue of the State of Alabama, and paying to said Custodian the tax due according to said report computed according to the percentages levied by this act, without making other reports or payments; and providing that all laws and parts of laws in conflict with any provision of this act are hereby repealed; and providing that if any section, clause or provision of this act shall be, or declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid; and providing when this act shall take effect; and providing that all revenue arising from the levy herein made and distributed to the Board of Education of the City of Tuscumbia shall be used exclusively for public school purposes in said City of Tuscumbia and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said City of Tuscumbia, and that all such revenue arising from the levy herein made and distributed to the Board of Education of the City of Sheffield shall be used exclusively for public school purposes in said City of Sheffield and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said City of Sheffield, and that all such revenue arising from the levy herein made and distributed to the County Board of Education of Colbert County shall be used exclusively for public school purposes in said County outside the City limits of the Cities of Tuscumbia and Sheffield and solely for the maintenance and operation of public schools and the construction and improvement of public school buildings in said County outside the City limits of the Cities of Tuscumbia and Sheffield, and providing that each of said Boards shall have the right and authority to pledge its respective share of the revenue arising from the taxes herein levied as security for debts incurred in the future or for warrants issued in the future for such public school purposes.

WHEREAS, Colbert County has recently become the center of vast

industries and has gained rapidly in population, and every public school in the County has a large increase in enrollment; and

WHEREAS, it is imperative that the County provide more adequate school buildings and equipment and a broadened school program, and it is necessary to provide more revenue to meet this great and growing need;

Therefore.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORTS OF COMMITTEES

Mr. Glover, Chairman of the Standing Committee on Fish and Game reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McIlwain:

H. 442. To amend Section 69 of Title 8 of the Code of Alabama (1940).

Mr. Wright, Chairman of the Standing Committee on Public Health reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Thompson (Crenshaw):

H. 617. To amend Section 388 and Section 390 of Article 2, Chapter 67, Title 14, of the Code of Alabama, of 1940.

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Boutwell (by request) (with notice and proof):

S. 647. To alter and rearrange the corporate limits of the City of Birmingham so as to include therein parts of the territory located in Sections 11 and 12 of Township 17, Range 3, West, in Jefferson County.

By Mr. Harvey (with notice and proof):

S. 652. Creating the office of County Engineer for Winston

County, Alabama; prescribing his qualifications, term of office and salary.

By Mr. Boutwell:

S. 655. To provide that in any judicial circuit now or hereafter composed of one county having more than five circuit judges, in addition to the salary which now or hereafter may be paid by the State of Alabama to the judges thereof there shall be paid to each circuit judge thereof, the sum of three thousand dollars (\$3,000) per annum which sum shall be paid in equal monthly installments out of the general treasury of such county; and to provide that no salary shall be payable to such judges by such county except as provided in this Act.

By Messrs. Coburn, Barnett and Rogers:

H. 1005. To authorize the County Board of Education of the County or the City Board of Education of a city in any county in which a special sales tax, gross receipts tax or use tax is levied by local act of the Legislature for public school purposes to issue and sell interest bearing warrants with principal and interest to be paid from the revenue arising from such special taxes and allocated to the issuing board under such local act of the Legislature, and to authorize such board to pledge such revenue to the payment of the principal of and the interest on such warrants.

By Mr. Evans (with notice and proof):

H. 1044. Relating to Choctaw County: To authorize and direct the governing body of Choctaw County to pay the salaries of clerks for the Tax Assessor and Tax Collector of the county.

By Messrs. Sightler and Pinkston:

H. 1051. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

By Messrs. Sightler and Pinkston:

H. 1055. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds

contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

By Messrs. McGowin and Thagard (with notice and proof):

H. 1067. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

By Messrs. Barnett and Rogers (with notice and proof):

H. 1068. To allow the Sheriff of Lauderdale County, Alabama, an additional Deputy Sheriff to those provided by law; to fix the salary of said Deputy and to make the same payable out of the General Funds of Lauderdale County in monthly installments.

By Messrs. Callahan and Shelton:

H. 1069. To impose extra, new and additional duties upon the members of the Board of Revenue in all counties of this State hav-

ing a population of not less than 76,000 and not more than 114,000, according to the last or any subsequent federal census, and to provide additional compensation for the performance of such duties, and to provide an effective date for this act, and to repeal all laws and parts of laws in conflict with this act.

By Mr. Bennett (with notice and proof):

H. 1072. To consolidate the offices of Circuit Clerk and Register of the Chancery Court of Calhoun County, and prescribing the duties and compensation of the Circuit Clerk of Calhoun County.

By Messrs. Cole and Brassell (with notice and proof):

H. 1075. To establish a County Commission for Russell County, to provide for the appointment and election of the members thereof and prescribe their duties and powers, to provide for a Chairman of said County Commission and to fix his duties and powers; and fix their compensation; to divide the County of Russell into three districts for the County Commission of Russell County and abolish the Court of County Commissioners for Russell County, and to repeal all conflicting laws, general, local and special.

By Mr. Bennett (with notice and proof):

H. 1083. To amend Section 2 of Act 187, H. 500, approved July 24, 1947 (Local Acts of Alabama, 1947, page 103) entitled "An Act to provide for a Deputy Clerk of the Circuit Court of Calhoun County, and to fix his powers, duties and compensation."

By Messrs. Dumas, Meeks, Beatty, Sadler and Adams (Jefferson) (with notice and proof):

H. 1079. To amend Section 3 of Act No. 247, H. B. 512, approved November 9, 1932 (Local Acts of Alabama, Extra Session, 1932, page 98) entitled "An Act To establish a Jury Board in Jefferson County, Alabama, to fix the membership of said Board, to prescribe the qualifications and terms of office and provide for the appointment of the members thereof; to fix their compensation and to define their duties; to provide for the appointment, duties and compensation of the clerks of said Board, for the qualification of jurors, for the preparation of jury rolls and the filling and refilling of jury boxes; to provide for the method of serving notice upon jurors requiring their attendance for jury service and to provide for the payment for the necessary expenses of such Board."

By Messrs. Beatty, Adams (Jefferson), Meeks and Gibson:

H. 1081. To apply in and only in counties in Alabama having a population of 400,000 inhabitants or more, according to the last or any subsequent Federal census and to empower and authorize the county commission, board of revenue, or like governing body of all such counties to authorize and approve a monetary allow-

ance not to exceed the sum of fifty dollars monthly to be made to any of the members of such governing body for and on account of the use of an automobile owned or controlled by said member of such governing body in the event such automobile is used by such member of such governing body, partially or entirely, in connection with the performance of his official duties as a member of such governing body.

By Messrs. Dumas, Adams (Jefferson), Meeks and Beatty:

H. 1077. To fix the compensation or salaries of Tax Assessors and Tax Collectors in counties of 400,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require such officers to pay into the county treasury of such county, or counties, all fees, commissions, costs or other emoluments which are now allowed by law.

By Messrs. Sadler, Beatty, Meeks, Dumas, and Adams (Jefferson) (with notice and proof):

H. 1078. To amend Sec. 287 of Title 62, of the Code of Alabama of 1940.

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill, and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dumas et al (with amendment):

H. 1076. To provide for a Commissioner of Licenses in all counties of the State having a population of 350,000 or more according to the last or any subsequent Federal Census, for his tenure and appointment subject to any applicable civil service or merit system act and the repeal of all conflicting laws, including Section 865 of Title 51 of the Alabama Code of 1940.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Garrett and Thompson (Pike):

H. 978. To amend Sections 1 and 12 of Act 515, approved July 9, 1945, as amended by Act 606, approved October 13, 1947, which establishes a State Employees' Retirement System.

By Mr. Thompson (Crenshaw):

H. 625. To amend Section 152 of Title 41, Chapter 4, Article 1, Code of Alabama 1940.

By Messrs. McIlwain, White (Perry) and Adams (Dale):

H. 952. To amend Section 29 of Title 11 of the 1940 Code, which relates to the fees allowed probate judges.

REPORT FROM COMMITTEE TO INVESTIGATE PENAL AND CORRECTIONAL SYSTEM

The Committee created under the provisions of H. J. R. 57 to study and investigate the State's Penal and Correctional System, filed a report with the Secretary, which report was ordered held on the Secretary's desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Head:

H. J. R. 143. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, the House and Senate concurring that House Bill No. 351 be known as and designated as the Lovelace, Head, Moring, Vann, Patterson, Kendall, Malone, Inzer, Adams, Summerlin, Garrett, Merrill and Cox Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Rules were suspended and the Resolution, H. J. R. 143, set out in the foregoing Message from the House, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered the bill:

S. 305. To amend Section 713 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

and said bill was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of the majority of the whole number elected to the House, said vote being Yeas 71, Nays 0.

And said bill, together with the Governor's objections thereto, is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Brown and Ward:

H. 1104. To fix the compensation of the Tax Assessor of Lee County for assessing and of the Tax Collector of Lee County for collecting municipal ad valorem taxes in those municipalities in Lee County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the Tax Assessor of Lee County for assessing and of the Tax Collector of Lee County for collecting municipal ad valorem taxes in those municipalities in Lee County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. That in those municipalities in Lee County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended, the compensation of the Tax Assessor for assessing municipal ad valorem taxes shall be one (1%) per cent of the amount of such taxes; and the compensation of the Tax Collector for collecting municipal ad valorem taxes shall be one (1%) per cent of the amount of such taxes.

Section 2. That the compensation herein provided for the Tax Assessor and the Tax Collector of Lee County shall be retained by the Tax Collector of Lee County out of such municipal ad valorem taxes collected by him; and he shall pay to the Tax Assessor of Lee County his portion of such compensation at such times as he makes payments to the municipality or municipalities of the municipal ad valorem taxes so collected.

Section 3. That the compensation herein provided for the Tax Assessor and Tax Collector of Lee County for assessing and collecting municipal ad valorem taxes in those municipalities in Lee County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended, shall be in lieu of the compensation for such purpose authorized by Title 37, Section 732, Code of Alabama 1940, as amended, and shall be the entire compensation which they shall receive for the same.

Section 4. That all laws and parts of laws in conflict herewith be and the same are hereby expressly repealed.

Section 5. That this Act shall become effective on October 1, 1949. (Adv. 21-28-4-11)

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Opelika Daily News, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1949.

W. C. WEAR, JR.

Sworn to and subscribed before me August 13, 1949.

ROBERTS H. BROWN,
Notary Public, Lee County, Alabama.

Also:

By Messrs. Brown and Ward:

H. 1103. Abolishing the fine and forfeiture fund of Lee County: providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Abolishing the fine and forfeiture fund of Lee County: providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

Be It Enacted by the Legislature of Alabama:

Section 1. The fine and forfeiture fund of Lee County is hereby abolished.

Section 2. It shall be the duty of the custodian of the fine and forfeiture fund of the county to transfer all money on hand in such fund on the effective date of this Act to the county general fund. Thereafter, all claims which would be payable from the fine and forfeiture fund except for this Act shall be paid from the general fund. Thereafter, all moneys which would be payable into the fine and forfeiture fund except for this Act shall be paid into the general fund.

Section 3. After the effective date of this Act, when any person subpoenaed as a witness before the grand jury of the county procures a certificate of his attendance signed by the foreman of the jury, the certificate shall be paid out of the general fund on its presentation by the lawful holder thereof.

Section 4. After the effective date of this Act, when any person appears as a witness for the State in a criminal case in the circuit or, county court, or Court of Common Pleas of Lee County, and procures a certificate of his attendance signed by the clerk of the court, the certificate shall be paid out of the general fund on its presentation by the lawful holder thereof. When any fees are collected for State witnesses in the circuit or county court, or Court of Common Pleas the fees shall be paid into the general fund.

Section 5. All other claims accruing after the effective date of this Act and accruing against the general fund by reason of Sections 1 and 2, above, shall be paid on presentation of the certificates therefor by the lawful holders.

Section 6. All unpaid claims registered against the fine and forfeiture fund on the effective date of this Act shall be barred and the

payment thereof prohibited unless re-registered as claims against the general fund within ninety days thereafter. No claim against the fine and forfeiture fund which is unregistered on the effective date of this Act shall be registered against the general fund or paid. Such claims as are re-registered against the general fund in accord with this Section shall be paid, in the order of their prior registration against the fine and forfeiture fund, upon presentation of the certificates therefor by the lawful holders.

Section 7. All claims accruing after the effective date of this Act and accruing against the general fund by reason of Sections 1 and 2, above, shall be preferred claims against that fund.

Section 8. All witness fees for attendance before the grand jury, the Circuit court, criminal division, and county court, now in the hands of the Clerk shall, on the effective date of this Act, be paid by the Clerk into the General fund, for subsequent payment from the general fund to the holders thereof.

Section 9. All laws and parts of laws in conflict with this Act are repealed.

Section 10. The provisions of this Act are declared to be severable. If any part is declared invalid in any application, such declaration shall not affect other parts or applications.

Section 11. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. (Adv. July 19-26; Aug. 2-9)

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Wilson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Opelika Daily News, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19th, July 26, August 2d, and August 9th, all in the year 1949.

W. H. WILSON.

Sworn to and subscribed before me Aug. 15, 1949.

ROBERTS H. BROWN,
Notary Public, Lee County, Alabama.

Also:

By Mr. Bush:

H. 1102. Providing for the improvement, surfacing, and maintenance of certain roads and streets in Macon County; Authorizing the governing body of the City of Tuskegee to improve, surface, and maintain any roads or streets lying outside the corporate limits but within the police jurisdiction of the City of Tuskegee if the abutting property is assessed for the cost thereof; and providing the procedure for such assessment.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill will be introduced at the current session of the Alabama Legislature.

A BILL
TO BE ENTITLED
AN ACT

Providing for the improvement, surfacing, and maintenance of certain roads and streets in Macon County: Authorizing the governing body of the City of Tuskegee to improve, surface, and maintain any roads or streets lying outside the corporate limits but within the police jurisdiction of the City of Tuskegee if the abutting property is assessed for the cost thereof; and providing the procedure for such assessment.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of the City of Tuskegee is hereby authorized to improve, surface, and maintain any roads or streets lying outside the corporate limits but within the police jurisdiction of the City of Tuskegee if the abutting property is assessed for the cost of such improvement, surfacing or maintenance.

Section 2. Assessments under the provisions of this Act shall be made and collected and enforced in the manner provided by Chapter 11 of Title 37 of the Code of Alabama (1940).

Section 3. Nothing contained in this Act shall be construed to limit or abridge the power of the City of Tuskegee to construct, maintain, or improve the streets located within its corporate limits.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

FRANK H. CARR,
Mayor.

7-21-4t

City of Tuskegee, Ala.

PROOF OF PUBLICATION

THE TUSKEGEE NEWS
Tuskegee, Ala.

STATE OF ALABAMA
MACON COUNTY

Before me, a notary public in and for said county and state, personally appeared Hal Fisher, who deposeth and sayeth that he is the publisher of The Tuskegee News, a weekly newspaper published in said County and State, and that the notice attached hereto was published for 4 consecutive weeks, as follows:

July 21, 1949, July 28, 1949, Aug. 4, 1949, Aug. 11, 1949.

HAL FISHER,
Publisher.

Sworn to and subscribed before me this 16 day of Aug., 1949.

MRS. FLORENCE G. FISHER,
Notary Public.

My Commission Expires Nov., 1950.

Also:

By Mr. Malone:

H. 1086. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama, be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of said City all of the following described territory:

Beginning at the Southeast corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 3, North, Range 26 East, and running West along the section line to the Southwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 3, North, Range 26 East, said point being on the present City limits thence, running North along the half section line; said line being the present City limit line to the Northwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 3, North Range 26 East, thence East along the said City limits line to the NE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 3 North, Range 26 East, thence South to the SE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 3 North, Range 26 East, said corner being the point of beginning, containing 40 acres, more or less.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall be effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, on the following dates: July 25, August 1, 8, 15, 1949; in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

J. T. LANE, JR.

Sworn to and subscribed before me on this 15 day of August, 1949.

LOIS O. HALL,
Notary Public.

Also:

By Mr. Cox:

H. 1094. To amend Act Number 162, H. B. 152 approved August 21, 1923 (Local Acts of Alabama, 1923 PP. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary, and to provide for the election of the County Treasurer of Chilton County, Alabama by the qualified voters of said County."

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT RELATING TO CHILTON COUNTY

To amend Act Number 162, H. B. 152 approved August 21, 1923, (Local Acts of Alabama, 1923 PP. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary, and to provide for the election of the County Treasurer of Chilton County, Alabama, by the qualified voters of said County."

Be It Enacted by the Legislature of Alabama:

That Act Number 162, H. B. 152 approved August 21, 1923 (Local Acts of Alabama, 1923 PP. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary; and to provide for the election of the County Treasurer of Chilton County, Alabama, by the qualified voters of said County," is amended, as follows:

1st. By adding thereto Section Numbered 4½, as follows:

That the County Treasurer install and maintain a correct file of cards showing the signature of all County officials and employees, and such cards shall be filed with the County Treasurer before the payment of any warrants to such officials or employees.

2nd. By adding to said Act Section 4¾, as follows:

That the Treasurer of Chilton County, Alabama, shall be paid the sum of \$125.00 per month, payable at the end of each month, out of the funds of said County, upon warrant drawn as other claims against said County.

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law 29-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
CHILTON COUNTY

Personally appeared before the undersigned, a Notary Public in and for said county and state, R. M. Tucker, Publisher of the Chilton County News, a newspaper publisher at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in four consecutive issues as follows to-wit:

21st day of July, 1949.

28th day of July, 1949.

4th day of August, 1949.

11th day of August, 1949.

R. M. TUCKER,
Publisher.

Subscribed and sworn to before me this 11th day of August, 1949.

HUGH JONES,
Notary Public.

Also:

By Mr. Cox:

H. 1101. For the relief of O. B. Martin and Bertha Martin, and to authorize, empower and direct the Court of County Commissioners of Chilton County, Alabama, and the Treasurer of Chilton County, Alabama, to pay to the said O. B. Martin and Bertha Martin, the sum of \$104.00 out of the general fund in the Treasury of said County, not otherwise appropriated, in order to reimburse or compensate the said O. B. Martin and Bertha Martin for damage done to a store building owned by them in Chilton County, Alabama, by the operation of a caterpillar patrol owned by Chilton County, Alabama, and being operated in the grading and improvement of its roads.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

is hereby given that the following act will be introduced at the present session of the Legislature of the State of Alabama:

AN ACT

A bill entitled an act for the relief of O. B. Martin and Bertha Martin, and to authorize, empower and direct the Court of County Commissioners of Chilton County, Alabama, and the Treasurer of Chilton County, Alabama, to pay to the said O. B. Martin and Bertha Martin, the sum of \$104.00 out of the general fund in the Treasury of said County, not otherwise appropriated, in order to reimburse or compensate the said O. B. Martin and Bertha Martin for damage done to a store building owned by them in Chilton County, Alabama, by the operation of a caterpillar patrol owned by Chilton County, Alabama, and being operated in the grading and improvement of its roads.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Court of County Commissioners and the County Treasurer of Chilton County, Alabama, are hereby authorized, empowered and directed to pay to O. B. Martin and Bertha Martin the sum of \$104.00 out of any money in the general fund of the Treasury of Chilton County, Alabama, not otherwise appropriated, in order to reimburse and compensate the said O. B. Martin and Bertha Martin, for the damages to a wooden store building owned by them in Chilton County, Alabama, by a caterpillar patrol owned by Chilton County, Alabama, being used in the repair and construction of its public roads.

Section 2. That the County Treasurer of Chilton County, Alabama, be and he is hereby directed and ordered to pay said sum on a warrant drawn out of the general funds of said county. 24-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHILTON

Personally appeared before the undersigned, a Notary Public in and for said county and state, R. M. Tucker, Publisher of the Chilton County News, a newspaper publisher at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of

16 day of June, 1949.
23 day of June, 1949.
30 day of June, 1949.
7 day of July, 1949.

R. M. TUCKER,
Publisher.

Subscribed and sworn to before me this 18th day of July, 1949.

J. C. BENNETT,
Notary Public.

Also:

By Mr. Ingalls:

H. 1109. To refund to Mrs. W. G. Yelverton by the State of Alabama and the County of Montgomery, taxes heretofore paid by her to the Tax Collector of Montgomery County erroneously.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

is hereby given that the following bill will be introduced in the present session of the Legislature, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To refund to Mrs. W. G. Yelverton by the State of Alabama and the County of Montgomery, taxes heretofore paid by her to the Tax Collector of Montgomery County erroneously.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Comptroller of the State of Alabama be and is hereby authorized and directed to draw his warrant on the State Treasurer for the sum of \$39.29, payable to Mrs. W. G. Yelverton out of the general fund, on account of State taxes heretofore erroneously paid to the Tax Collector of Montgomery County, on property not owned by her.

Section 2. The Board of Revenue of Montgomery County is hereby authorized and directed to draw a warrant on the Treasurer of Montgomery County for the sum of \$83.53, payable to Mrs. W. G. Yelverton out of the general fund of said County on account of taxes heretofore erroneously paid to the Tax Collector of said County on property not owned by her.

Section 3. That the funds necessary to pay the amounts due under this act is hereby appropriated out of the general funds of the State of Alabama and the County of Montgomery, respectively.

Section 4. That all laws or parts of laws in conflict with this act are hereby repealed. This act shall become effective immediately upon being signed by the Governor or otherwise becoming law.

Adv. July 24-31, Aug. 7-14.

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, T. A. Hardy, a Notary Public in and for said State and County, personally appeared P. W. Walsh who being duly sworn according to law, deposes and says that he is Secretary for The Advertiser Company, publishers of The Montgomery Advertiser, and that the attached advertisement of Mrs. W. G. Yelverton appeared in said publication on the following dates: July 24, 31, Aug. 7, 14, 1949.

P. W. WALSH.

Sworn to and subscribed before me this 15 day of August, 1949.

T. A. HARDY,

Notary Public, Montgomery County, Alabama.

Also:

By Messrs. Ingalls and Sightler:

H. 1105. To amend Section 565-of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply for passage by the 1949 Regular Session of the Alabama Legislature, of a local law in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 565 of Title 62, Code of Alabama of 1940.

Be It Enacted by the Legislature of Alabama as Follows:

Section 1. That Section 565 of Title 62, Code of Alabama of 1940, be and the same is hereby amended to read as follows:

Section 565. Elections; designation of positions—(A) An election shall be held in the city on the third Monday in May, 1931, and on the same day of every fourth succeeding year, for the election of the president and two other members of the board of commissioners to hold office for a term of four years from the first Monday in October in said year and until their respective successors shall have been elected and shall have qualified for office. Any person desiring to become an independent candidate at any election which may be held according to the terms of this subdivision for the office of president of the board or other commissioner may become such candidate by filing in the office of the judge of probate of the county in which said city is situated a statement of such candidacy accompanied by an affidavit taken and certified by said judge of probate or by a notary public that such person is duly qualified to hold the office for which he desires to become a candidate. Such statement shall be filed at least twenty-one days before the day set for such election and shall be substantially in the following form: "State of Alabama (_____ County). I, the undersigned, being first duly sworn, depose and say that I am a citizen of the city of Montgomery in said State and county and reside at _____ in said city, that I desire to become a candidate for the office of _____ in said city for the term of _____ years in the election for said office to be held on the _____ day of _____ next; that I am duly qualified to hold said office if elected thereto and I hereby request that my name be printed upon the official ballot at said election (signed) _____ Subscribed and sworn to before me by said _____ on the _____ day of _____ 19____ Judge of Probate or notary public." Said statement shall be accompanied by a petition signed by at least one thousand persons who shall be qualified to vote at said coming election, requesting that such person become a candidate for said office at said election. The signers of said petition shall set forth their names in full and their residence addresses and said petition shall be substantially like the following: "We, the undersigned, duly qualified electors of the City of Montgomery and residing at the places set opposite our respective names, do hereby request that the name of _____ be placed upon the official ballot as a candidate for the office of _____ in said city for the term of _____ years at the election to be held in this City on the _____ day of _____ next. We further state that we know said _____ to possess the qualifications necessary for said office and to be in our judgment a fit and proper person to hold said office. Witness our hands on this the _____ day of _____ 19____." At every such election all ballots to be used by the voters shall be printed and prepared by the said city at its expense.

No name shall appear upon said ballot as a candidate for election except the names of such persons as have become candidates according to the provisions of this subdivision; and no ballot shall be used at any such election except the official ballot prepared as herein provided. At every such election the judge of probate, sheriff and clerk of the circuit court of the county in which such city is situated, or a majority of them acting as an appointing board, must not more than ten nor less than five days before the holding of such election, appoint from the qualified electors of the respective voting places three inspectors and two clerks for each place of voting, and a returning officer for each precinct, to act

at the place of holding elections in each precinct in such city. All candidates of political parties shall in addition to any affidavit required by such party authority make and file in the office of the judge of probate of the county in which said city is situated the affidavit required to be filed by independent candidates. All elections held under this subdivision shall, where applicable and not in conflict with this subdivision, be governed and conducted in all respects as provided under chapter 1 of title 17. No petition shall be required of party candidates.

(b) The members of the Board of Commissioners shall be designated as follows: President of the Board of Commissioners; Associate Commissioner Number One; and Associate Commissioner Number Two. The Associate Commissioner older in point of service at the time of approval of this Act shall be Associate Commissioner Number One. The Associate Commissioner younger in point of service at the time of approval of this Act shall be Associate Commissioner Number Two. After the present term of office, each Associate Commissioner shall be designated by the number of the office to which he is elected. In all primary and general elections held for the purpose of nominating or electing members of the Board of Commissioners each of such position to be filled shall be designated as provided in this Section, and shall appear on the ballots of such elections designated accordingly. Each candidate for nomination or election as a member of the Board of Commissioners shall designate in the announcement and declaration of his candidacy the position to which he is seeking nomination or election and his name shall appear on the ballots of such election accordingly.

Journal—July 22-29, Aug. 5-12

STATE OF ALABAMA MONTGOMERY COUNTY

Before me, F. H. Hurston, a Notary Public, in and for said County, in said State, personally appeared P. W. Walsh, who is known to me and who being by me first duly sworn doth depose and say as follows: That he is Advertising Manager of The Advertiser Company, publishers of The Alabama Journal, a newspaper of general circulation published in Montgomery County, State of Alabama; that the attached notice of proposed local law was published once a week for four consecutive weeks in said Alabama Journal in the issues thereof of July 22, July 29, August 5, and August 12, 1949.

P. W. WALSH.

Sworn to and subscribed before me this 16 day of August, 1949, and in witness whereof, I have hereto affixed my official seal.

F. H. HURSTON,

Notary Public, Montgomery County, Alabama.

Also:

By Messrs. Ingalls and Sightler:

H. 1106. To alter, rearrange and extend the boundary lines and corporate limits of the City of Montgomery, in Montgomery County, Alabama; and to prescribe the time when this Act shall become effective.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply for passage by the 1949 Regular Session of the Alabama Legislature, of a local law in substance as follows:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Montgomery, in Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City all of that territory lying within the County of Montgomery included within the following boundaries, to-wit: Beginning at the water's edge on the South side of the Alabama River at a point where the north line of Section 11, Township 16, Range 17, touches said river, thence West along the North line of said Section 11 to the northwest corner thereof; thence continuing West along the North line of Section 10, Township 16, Range 17, to the Northwest corner thereof; thence South along the West line of Section 10, Township 16, Range 17, to the Southwest corner thereof; thence continuing South along the West line of Section 15, Township 16, Range 17, to the South line of the Western Railway of Alabama Railroad right-of-way; thence Southwesterly along the South right-of-way line of said railroad to the East line of Old Selma Road; thence Southwesterly along the East line of the Old Selma Road a distance of 208.3 feet to a point; thence South 0 degrees 53 minutes East 492.0 feet to a point; thence North 88 degrees 59 minutes East 2952.5 feet to a point; thence South 1 degree 6 minutes East 664.7 feet to a point; thence South 1 degree 13 minutes East 1324.7 feet to a point; thence North 88 degrees 54 minutes East to the East line of Section 21, Township 16, Range 17; thence South along the East line of Section 21, Township 16, Range 17, to the Southeast corner thereof; thence East along the North line of Section 27, Township 16, Range 17, to the West right-of-way line of the Louisville and Nashville Railroad; thence Southwesterly along the West right-of-way line of said Railroad to the Quarter section line running East and West through the Southeast quarter of Section 27, Township 16, Range 17; thence East along said Quarter section line to the East line of Section 27, Township 16, Range 17; thence continuing East along the Quarter section line running East and West through the Southwest quarter of Section 26; Township 16, Range 17 to the Half section line running North and South through Section 26, Township 16, Range 17; thence North along said Half section line to the center of Section 26, Township 16, Range 17, thence East along the Half section line running East and West through Section 26, Township 16, Range 17, to the East line of Section 26, Township 16, Range 17; thence continuing East along the Half section line running East and West through Section 25, Township 16, Range 17, to the West right-of-way line of the Atlantic Coast Line Railroad; thence Southeasterly along the West right-of-way line of said railroad to the Quarter section line running East and West through the South half of Section 25, Township 16, Range 17; thence East along said Quarter section line to the center of the Southeast quarter of Section 25, Township 16, Range 17, thence South along the Quarter section line running North and South through the East half of Section 25, Township 16, Range 17, to the South line of Section 25, Township 16, Range 17, thence continuing South along the Quarter section line running North and South through the East half of Section 36, Township 16, Range 17, to a point, said point being on the North property line of the Plat of Norman Heights if extended, according to said Plat as the same is recorded in the Office of the Judge of Probate, Montgomery County, Alabama in Plat Book 7, Page 12; thence East along said line to the Northwest corner of said Plat of Norman Heights, said Northwest corner of Norman Heights Plat being 485.0 feet North of the North property line of Valley View Road or Fleming Road, thence continuing East along the North boundary line of the Plat of Norman Heights and its extension to a point on the Quarter section line running North and South through the East half of Section

31, Township 16, Range 18, thence North along said Quarter section line to the North line of Section 31, Township 16, Range 18, thence East along the North line of Section 31, Township 16, Range 18, to the Northeast corner thereof; thence East along the South line of Section 29, Township 16, Range 18, to the Quarter Section line running North and South through the Southeast quarter of Section 29, Township 16, Range 18, thence North along said Quarter section line to the Half section line running East and West through Section 29, Township 16, Range 18, thence East along said Half section line to the East line of Section 29, Township 16, Range 18, thence North along the East line of Section 29, Township 16, Range 18, to the North right-of-way line of the Troy-Montgomery Highway; thence Easterly along the curvature of and along the North right-of-way line of the Troy-Montgomery Highway to the Half section line running North and South through Section 28, Township 16, Range 18.

Thence continuing North along said Half section line to the Northeast corner of the Southeast quarter of the Northeast quarter of the Northwest quarter of Section 28, Township 16, Range 18; thence West along the line running East and West through the center of the Northeast Quarter of the Northwest Quarter of Section 28, Township 16, Range 18, to the Quarter section line running North and South through the Northwest quarter of Section 28, Township 16, Range 18, thence North along said Quarter section line to the North line of Section 28, Township 16, Range 18, thence continuing North along the Quarter section line running North and South through the West half of Section 21, Township 16, Range 18, to the South right-of-way line of the Carter Hill Road; thence East along the curvature and along the South right-of-way line of the Carter Hill Road to a point due South of the Southeast corner of the Plat of Croom Crest according to said Plat as the same is recorded in the Office of the Judge of Probate, Montgomery County, Alabama in Plat Book 8, Page 90, thence North to the Southeast corner of said Plat of Croom Crest, said Southeast corner of said plat being 985 feet West of the center of Section 21, Township 16, Range 18; thence North along the East boundary line of said Plat of Croom Crest a distance of 1394 feet, to the Northeast corner of said Plat, thence West along the North boundary of said Plat of Croom Crest and along its North line if extended, a distance of 897 feet, thence North and parallel to the West line of Section 21, Township 16, Range 18, to the North line of Section 21, Township 16, Range 18, thence East along the North line of Section 21, Township 16, Range 18, to the Northeast corner thereof; thence North along the East line of Section 16, Township 16, Range 18 to the Northeast corner thereof; thence West along the South line of Section 9, Township 16, Range 18, to the Half section line running North and South through Section 9, Township 16, Range 18; thence North along said Half section line to the center of Section 9, Township 16, Range 18, thence East along the Half section line running East and West through Section 9, Township 16, Range 18, to the East line of Section 9, Township 16, Range 18, thence continuing East along the Half section line running East and West through Section 10, Township 16, Range 18, to the Quarter section line running North and South through the West Half of Section 10, Township 16, Range 18; thence North along said Quarter section line to the North line of Section 10, Township 16, Range 18; thence West along the North section line of Section 10, Township 16, Range 18, to the Northwest corner thereof; thence continuing West along the North line of Section 9, Township 16, Range 18, to the Half section line running North and South through Section 4, Township 16, Range 18; thence North along the Half section line running North and South through Section 4, Township 16, Range 18, to the North line of Section 4, Township 16, Range 18, thence continuing North along the Half section line running North and South through Section 33, Township 17, Range 18, to the North right-of-way line of the Seaboard Air Line Railroad; thence Northwesterly along the said North right-of-way line and along the curvature thereof to the Half section line running East and West through Section 32, Township 17,

Range 18, thence West along said Half section line to the West line of Section 32, Township 17, Range 18, thence continuing West along the Half section line running East and West through Section 31, Township 17, Range 18, to the West line of Section 31, Township 17, Range 18, thence continuing West along the Half section line running East and West through Section 36, Township 17, Range 17 to the West line of Section 36, Township 17, Range 17, thence continuing West along the Half section line running East and West through Section 35, Township 17, Range 17, to the water's edge on the East side of the Alabama River; thence down the Alabama River along the water's edge thereof, to the point of beginning; all of the above described territory being in Montgomery County, Alabama.

Section 2. That the boundaries set out in Section 1 of this Act be, and the same are hereby, established as the corporate limits of said City of Montgomery, effective September 30, 1949.

Journal—July 22-29, Aug. 5-12

STATE OF ALABAMA MONTGOMERY COUNTY

Before me, F. H. Hurston, a Notary Public, in and for said County, in said State, personally appeared P. W. Walsh, who is known to me and who being by me first duly sworn doth depose and say as follows: That he is Advertising Manager of The Advertiser Company, publishers of The Alabama Journal, a newspaper of general circulation published in Montgomery County, State of Alabama; that the attached notice of proposed local law was published once a week for four consecutive weeks in said Alabama Journal in the issues thereof of July 22, July 29, August 5, and August 12, 1949.

P. W. WALSH.

Sworn to and subscribed before me this 16 day of August, 1949, and in witness whereof, I have hereto affixed my official seal.

F. H. HURSTON,

Notary Public, Montgomery County, Alabama.

Also:

By Messrs. Ingalls and Sightler:

H. 1107. To amend Section 561 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply for passage by the 1949 Regular Session of the Alabama Legislature, of a local law in substance as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 561 of Title 62, Code of Alabama of 1940.

Be It Enacted by the Legislature of Alabama as Follows:

Section 1. That Section 561 of Title 62, Code of Alabama of 1940, be and the same is hereby amended to read as follows:

Section 561. (a) Selection of employees.—Each and every officer and employee of the city except the health officer and such persons as may be employed by him to enforce quarantine, shall be selected and

employed by the said board of commissioners, or under its direction and all salaries and wages paid by said city, shall be fixed by said board of commissioners. Unless otherwise provided the commissioners shall prescribe and may at any time change the powers, duties and titles of all subordinate officers and employees of said city, except the health officer and those holding under him, all of whom shall hold office and be removable at the pleasure of the board of commissioners. The authority herein given is subject, however, to the provisions of any civil service or merit system law applicable to said city.

(b) Distribution of powers and duties of board of commissioners.—The powers and duties of the board of commissioners of such city shall be distributed into and among three divisions, as follows: division of general administration and finance; division of public works; and division of public affairs. The president of the board of commissioners, or mayor, shall be the general executive officer of the city and shall be charged with the general supervision and direction of its affairs; and shall have direct supervision over the division of general administration and finance. The division of general administration and finance shall include those functions and departments of the city having to do with the collection of taxes, licenses and improvement assessments; the expenditures of the city, including the purchase of equipment and supplies; accounts and accounting; the budget and appropriations; the administration of the legal affairs of the city, including the Recorder's Court; the management of its sinking funds; and the management of any public utilities owned by the city. Associate commissioner number one shall have direct supervision over the division of public works. The division of public works shall include those function and departments of the city having to do with public improvements in such city, including the construction, improvement and maintenance of streets, sidewalks, sewers drainage systems, and public buildings and property; the city airport; the public health and sanitation; and kindergartens. Associate commissioner number two shall have direct supervision over the division of public affairs. The division of public affairs shall include the fire and police departments, the city cemetery, and the department having to do with weights and measures. Any function or department of the city not herein specifically assigned to one of the above divisions shall be the responsibility of the board of commissioners as a whole; provided, however, any such function or department may be assigned to a division and reassigned, at any time by a unanimous decision of all members of the board of commissioners.

Section 2. The provisions of this Act shall become effective as of the first Monday in October, 1951.

Journal—July 22-29, Aug. 5-12

STATE OF ALABAMA MONTGOMERY COUNTY

Before me, F. H. Hurston, a Notary Public, in and for said County, in said State, personally appeared P. W. Walsh, who is known to me and who being by me first duly sworn doth depose and say as follows: That he is Advertising Manager of The Advertiser Company, publishers of The Alabama Journal, a newspaper of general circulation published in Montgomery County, State of Alabama; that the attached notice of proposed local law was published once a week for four consecutive weeks in said Alabama Journal in the issues thereof of July 22, July 29, August 5, and August 12, 1949.

P. W. WALSH.

Sworn to and subscribed before me this 16 day of August, 1949, and in witness whereof, I have hereto affixed my official seal.

F. H. HURSTON,
Notary Public, Montgomery County, Alabama.

Also:

By Messrs. Kaul, Dumas, Sadler, Meeks, Adams (Jefferson), Gibson and Beatty:

H. 1100. To provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000 or more according to the last or any future Federal census, and for the payment of benefits to employees of such counties, and without limiting the generality and comprehensiveness of the fore-going portion of this title, to amend Section 3 of that certain Act of the Legislature entitled "An Act to provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000 or more according to the last or any subsequent Federal census, and for the payment of benefits to employees of such counties," approved July 6, 1945 (General Acts of 1945, page 531) as heretofore amended by that certain Act of the Legislature entitled "An Act to amend Section 3 of Act No. 328, General Laws of Alabama, approved July 6, 1945 General Acts pp. 531 et seq.", approved October 9, 1947, Act No. 679 General Acts of 1947; and to amend Section 9 of that certain Act of the Legislature entitled "An Act to provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000 or more according to the last or any subsequent Federal census, and for the payment of benefits to employees of such counties," approved July 6, 1945 (General Acts of 1945, page 531) as heretofore amended by that certain Act of the Legislature entitled "An Act to amend Section 8 and 9 of an Act of the Legislature entitled 'To provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000, or more, according to the last or any future Federal census, and for the payment of benefits to employees of such counties', approved September 30th, 1947, Act No. 508, General Acts of 1947.

Also:

By Mr. Bennett:

H. 1110. To amend Chapter 9 of Title 15 of the Code of Alabama (1940), as amended by Act No. 199, H. B. 233, approved July 8, 1949 (General Acts of Alabama, 1949), which relates to bail by defining the power, authority, and jurisdiction of the courts in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in this State having a population of not less than fifty-six thousand (56,000) and not more than sixty-four thousand (64,000) inhabitants according to the last or any subsequent Federal census; and to authorize the courts in such counties to remit, in whole or in part, the penalty of such bail bonds as the ends of justice may, unto the court, appear to require.

Also:

By Messrs. Adams (Jefferson), Meeks, Gibson, Dumas, Kaul and Beatty:

H. 1108. To supplement the Jefferson County Sewer Amendment to the Constitution of Alabama, effective on November 15, 1948, and to authorize Jefferson County to construct, improve, extend and repair sewers and sewerage treatment plants in said county and to levy and collect sewer rentals or sewer service charges as provided in such Amendment; to provide for a Board of Arbitration which shall have jurisdiction to review or revise rates or rentals or service charges fixed by said County Commission, provide for the method of appealing to said Board of Arbitration, and to provide the power and authority of said Board of Arbitration with respect to appeals to said Board of Arbitration from orders of the said County Commission fixing rentals or service charges; to authorize the collection of such rentals or charges either by suit against the occupant of the parcels

of property charged therewith or by foreclosure of the lien of such rentals or charges upon such parcels of property; to authorize the county and the towns and cities within said county to make contracts for the disposal and treatment of sewerage originating in said towns and cities; to authorize the county commission of said county to enforce payment of such rentals or charges by cutting off connections with the county's sewer system and with any water distribution system supplying water to the parcels of property liable for such rentals or charges; to require cities, towns or other public corporations, and to permit other persons, to cut off connections of such parcels of property with their water distribution systems when requested by the county commission to require cities, towns or other public corporations, or other persons to furnish information as to water furnished to parcels of property served by the county's sewer system; to provide for the method of foreclosing any assessments which remain unpaid, and to provide for the redemption from such assessment sales; and to authorize the county to make covenants or agreements with holders of bonds issued under the Amendment relative to the use of the proceeds of such bonds, the maintenance and operation of the county's sewer system, the charging and disposition of such revenues and other matters affecting the adequacy and enforcement of the lien of such bonds upon such rentals and charges.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

is hereby given that at the present session of the Legislature of Alabama, now being held at the State Capitol in Montgomery, Alabama, a bill will be introduced for passage which will supplement the Jefferson County Sewer Amendment to the Constitution of Alabama, effective on November 15, 1948, and which will authorize Jefferson County to construct, improve, extend and repair sewers and sewerage treatment plants in said County and to levy and collect sewer rentals or sewer service charges as provided in such amendment; and which will authorize the collection of such rentals or charges either by suit against the occupant of the parcels of property charged therewith or by foreclosure of the lien of such rentals or charges upon such parcels of property; and which will authorize the County and the Towns and Cities within said County to make contracts for the disposal and treatment of sewerage originating in said Towns and Cities; and which will authorize the County Commission of said County to enforce payment of such rentals or charges by cutting off connections with the County's sewer system and with any water distribution system supplying water to the parcels of property liable for such rentals or charges; and which will require Cities, Towns or other public corporations, and which will permit other persons to cut off connections of such parcels of property with their water distribution systems when requested by the County Commission; and which will require Cities, Towns or other public corporations, or other persons, to furnish information as to water furnished to parcels of property served by the County's sewer system; and which will authorize the county to make covenants or agreements with holders of bonds issued under the amendmetn relative to the use of the proceeds of such bonds, the maintenance and operation of the County's sewer system, the charging and disposition of such revenues and other matters affecting the adequacy and enforcement of the lien of such bonds upon such rentals and charges.

Age-Herald, July 18, 25, Aug. 1, 8.

STATE OF ALABAMA, ss
COUNTY OF JEFFERSON

On this 15 day of Aug. A. D. one thousand nine hundred and 49 personally appeared before me, Joe L. Roberts a Notary Public in and

for the County and State aforesaid J. V. Brightman who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Age-Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Age-Herald" on the following dates:

July 18th, 1949.
July 25th, 1949.
Aug. 1st, 1949.
Aug. 8th, 1949.

J. V. BRIGHTMAN.

Subscribed and sworn to before me this 15 day of Aug., A. D., 1949.

JOE L. ROBERTS,
Notary Public.

My Commission Expires March 18, 1952.

Also:

By Mr. George:

H. 1093. To provide for the Redistricting of the Commissioner's Districts of Randolph County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of intention to apply for the passage of a Local Law for Randolph County, Alabama, at the 1949 session of the Legislature of Alabama, which convened on May 3rd, 1949, and which is now in session, which Local Law reads as follows:

A BILL TO BE ENTITLED AN ACT

To provide for the Redistricting of the Commissioner's Districts of Randolph County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Randolph County, Alabama, be and the same is hereby divided into Four Commissioners Districts to be designated District Number 1, District Number 2, District Number 3, and District Number 4.

Section 2. That District Number 1 shall be composed of the territory now embraced in Election Precincts 1, 14, 3 and 6; That District Number 2 shall be composed of the territory now embraced in Election Precincts 2, 13 and 7; That District Number 3 shall be composed of the territory now embraced in Election Precincts 4, 5 and 11; That District 4 shall be composed of the territory now embraced in Election Precincts 8, 9, 10 and 12.

Section 3. All laws in so far as they conflict herewith are hereby repealed.

Section 4. The provisions of this Act to become effective upon its approval by the Governor, or its otherwise becoming a law. July 8 -4t

THE STATE OF ALABAMA RANDOLPH COUNTY

Before me, Paul J. Hooton, a notary public in and for said state and county, appeared John B. Stevenson, publisher of The Roanoke Leader, a newspaper published in Roanoke, Randolph County, Alabama, who, being duly sworn, deposes and says that a notice advertising A bill for the Redistricting of the Commissioner's Districts of Randolph County, Ala.

appeared in said paper in the issues of July 8, 15, 22, 29, August 5, 1949 and that a copy of said notice is hereto attached.

JOHN B. STEVENSON.

Sworn to and subscribed before me this, the 16th day of August, 1949.

PAUL J. HOOTON,
Notary Public.

Also:

By Messrs. Shelton and Callahan:

H. 1088. To impose extra, new and additional duties upon the members of the Board of Revenue of Tuscaloosa County, Alabama, other than the Probate Judge, and to provide additional compensation for the performance of such duties, and to provide an effective date for this act and to repeal all laws, and parts of laws in conflict with this act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Notice is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To impose extra, new and additional duties upon the members of the Board of Revenue of Tuscaloosa County, Alabama, and to provide additional compensation for the performance of such duties, and to provide an effective date for this act and to repeal all laws, and parts of laws in conflict with this act.

Be It Enacted by the Legislature of Alabama:

Section 1. That in addition to all other duties now provided and imposed by law upon the members of the Board of Revenue of Tuscaloosa County, Alabama, it shall be the duty of the members of said board of revenue to keep constantly advised as to the condition of all county roads and bridges and to see that the same are kept in repair and improved. They shall at the end of each month prepare a detailed report showing the condition of such roads and bridges, the character of work done during said month, the manner in which money and labor are expended and the actual service which they have performed and devoted to their offices. Such record shall be permanently preserved at the office of the board at the court house and shall be subject to public inspection; the members of the Board of Revenue of Tuscaloosa County, Alabama, shall have the duty, and it is hereby required of them to keep themselves advised of the number and extent of all forest fires occurring in said county and to render assistance and cooperation to the State Division of Forestry, Department of Conservation, in the suppression and prevention of forest fires in so far as may be reasonable and practicable, providing whenever possible, use of appropriate county equipment whenever it is practicable to do so to the end that the loss from forest fires in Tuscaloosa County shall be reduced to a minimum.

Section 2. That in addition to all other compensation now received by said members of the Board of Revenue of Tuscaloosa County, Alabama, each member of said Board of Revenue of Tuscaloosa County, Alabama, shall be paid as compensation for said additional duties im-

posed by this act the sum of six hundred dollars annually to be paid as their compensation is now paid.

Section 3. This Act shall become effective on the first day of the following month after its passage and approval by the Governor or its otherwise becoming a law.

Section 4. All laws, and parts of laws, local, special or general in conflict with this act, in so far as they conflict with the terms of this act are hereby expressly repealed.

July 21, 28, Aug. 4, 11—4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1949.

BUFORD BOONE.

Sworn to and subscribed before me August 12, 1949.

LILLA COLLINS,

Notary Public in and for Tuscaloosa County, Alabama.

(SEAL)

Also:

By Messrs. Callahan and Shelton:

H. 1087. To amend Chapter 9 of Title 15 of the Code of Alabama (1940), as amended by Act No. 199, H. B. 233, approved July 8, 1949 (General Acts of Alabama, 1949), which relates to bail by defining the power, authority, and jurisdiction of the courts in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in this State having a population of not less than seventy-five thousand (75,000) and not more than one hundred thirteen thousand (113,000) inhabitants according to the last or any subsequent Federal census; and to authorize the courts in such counties to remit, in whole or in part, the penalty of such bail bonds as the ends of justice may, unto the court, appear to require.

Also:

By Mr. Dyar:

H. 1090. To amend Section 1 of an act entitled "To provide an expense allowance for the Superintendent of Education of Marion County," approved June 2, 1949.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR PASSAGE OF LOCAL LAW

To Whom It May Concern:

In pursuance of the requirements of Section 106 of the Constitution of 1901, notice is hereby given that application will be made to the Legislature of Alabama, during the 1949 regular session thereof, which convened on the first Tuesday in May, 1949, for the enactment of a local law in substance as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of an act entitled "To Provide an expense allow-

ance for the Superintendent of Education of Marion County," approved June 2, 1949.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 1 of an act entitled "To provide an expense allowance for the Superintendent of Education of Marion County" approved June 2, 1949, be amended to read as follows:

"Section 1. The Superintendent of Education of Marion County shall receive in addition to his salary an expense allowance of one thousand and two hundred dollars (\$1,200.00) per annum, which sum shall be payable out of the county school funds in twelve equal monthly installments. Such expense allowance shall be in lieu of any expense allowance heretofore paid to the Superintendent of Education for any purpose."

W. E. DYAR.

7-21-28-8-4.11

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
COUNTY OF MARION

Before me, Z. E. Watson, a Notary Public in and for said State and County, personally appeared F. B. McKenzie, who being duly sworn, doth depose and say that he is publisher of The Marion County News, a weekly newspaper published in the Town of Hamilton, State and County aforesaid, and that a certain advertisement (a true copy of which is hereto attached) has been published in said newspaper for four consecutive weeks prior to the 12th day of August, 1949, and the respective numbers and dates of said newspaper in which said publication was made are the following, to-wit:

No. 37 the 21st day of July, 1949.

No. 38 the 28th day of July, 1949.

No. 39 the 4th day of August, 1949.

No. 40 the 11th day of August, 1949.

And said publication was made without cost to the State of Alabama.

F. B. McKENZIE.

Sworn to and subscribed before me, this 15 day of August, 1949.

Z. E. WATSON,

Notary Public, Marion County, Alabama.

Also:

By Messrs. Snodgrass and O'Neal:

H. 1095. To authorize the governing body of Jackson County, Alabama, to call an election in said County for the purpose of determining whether or not an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever, gasoline or other liquid motor fuel or devices or substitutes therefor in said County shall be imposed; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such County to make reasonable rules and regulations for the collection of such tax, and to provide the enforcement of this Act and to fix the penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of such tax.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given of the intention to introduce the following Bill and request its passage by the 1949 Legislature which convened in

May, 1949, the substance of which is stated in the caption hereunder and set forth, to-wit:

AN ACT

To authorize the governing body of Jackson County, Alabama, to call an election in said County for the purpose of determining whether or not an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever, gasoline or other liquid motor fuel or devices or substitutes therefor in said County shall be imposed; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such County to make reasonable rules and regulations for the collection of such tax, and to provide the enforcement of this Act and to fix the penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of such tax.

Be It Enacted by the Legislature of Alabama:

Section I. The governing body of Jackson County, Alabama, is hereby authorized to call an election of the qualified voters of said County for the purpose of determining whether or not there shall be imposed an excise tax of 2c per gallon upon gasoline or other motor fuels in said County. Due notice of said election shall be given at least thirty days prior to the date the election is called. Said election shall be held and conducted under the same rules and regulations now governing general elections in Alabama, and the officers holding the same shall receive the same compensation.

Section II. The term "gasoline" as used in this Act shall include gasoline, naptha and other liquid motor fuels or any device or substitute therefor commonly used in internal combustion engines, provided, that nothing contained in this Act shall apply to those products commonly known as kerosene oil, fuel oil, and crude oil used for lighting or heating purposes. The term "person" means and includes every person, corporation, copartnership, company, agency, or association, singular or plural. The term "distributor" shall include any person who shall engage in the selling of gasoline as herein defined in Jackson County, by wholesale, in domestic trade, but shall not apply to any transaction by such distributor in interstate commerce. The term "retail dealer" shall include any person herein defined as the distributor who is also engaged in the sale of gasoline as herein defined at any place in Jackson County in broken quantities. The term "store" as used herein shall include any person who ships gasoline into Jackson County in tank quantities and stores the same and withdraws or uses same for any purpose.

Section III. Should a majority of those participating in said election vote for the imposition of said excise tax, the governing body of Jackson County, Alabama, may impose an excise tax of not exceeding 2c per gallon on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing, or withdrawing from storage for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in Jackson County, Alabama, and to require every distributor, retail dealer or storer of gasoline as herein defined to pay an excise tax of 2c per gallon upon the selling, distributing or withdrawing from storage for any use, gasoline as herein defined in Jackson County, Alabama; provided, that the excise tax levied by this Act shall not be levied upon the sale of gasoline in interstate commerce, and provided further that if the excise tax imposed by this Act upon the sale of such gasoline shall have been paid by a distributor or by a retail dealer or storer, such payment shall be sufficient, the intention being that the tax shall be paid but once. The excise tax

imposed by this Act shall apply to persons, firms, corporations, dealers or distributors, storing gasoline and distributing same or allowing the same to be withdrawn from storage, whether such withdrawal be for sale or other use, provided that sellers of gasoline and its substitutes paying the tax herein provided may pay the same computed and paid on the basis of their sales as hereinafter required, and storers and distributors shall compute and pay such tax on the basis of their withdrawals or distributions. The tax herein imposed shall be in addition to any and all excise or other taxes imposed by the State of Alabama or any other agency or subdivision of the State of Alabama, on gasoline, naptha, and other liquid motor fuels or any device or substitute therefor, or on the business of selling, distributing, storing or withdrawing from storage for any purpose gasoline as herein defined. Every distributor, storer or retailer as defined in Section II of this Act shall be exempted from the payment of said excise tax on withdrawals from storage which are for the purpose to resale, or reshipment to points outside of said County; provided, however, that to obtain such exemption such distributor, storer or retail dealer entitled to such exemption shall furnish to the governing body of said County, a sworn, written statement on the 20th day of each and every month showing a full, true and accurate total of sales to each reseller or consumer outside of said County.

Section IV. On or before the 20th day of each month after the passage of this Act, every person upon whom the excise tax is levied shall render to the governing body of such County on forms prescribed by such governing body a true and correct statement of all sales and withdrawals of gasoline liable for payment of the excise tax imposed by this Act, and made by him or them during the next preceding month, and shall furnish to said governing body such additional information as such governing body may require upon blanks to be formulated and furnished by said governing body, and at the time of making such report shall pay to said governing body the excise tax levied by this Act and upon such sales and withdrawals. The statement herein required to be made by the distributor, storer or retail dealer shall be sworn to before some officer authorized to administer oaths, and any false statement sworn to shall constitute perjury, and upon conviction thereupon the person so convicted shall be punished as provided by law for the crime of perjury.

Section V. All distributors, storers or retail dealers shall keep for not less than two years within the State of Alabama at some certain place or office such books, documents or papers as will clearly show the amount of sales or withdrawals of gasoline made in Jackson County taxed under this Act.

Section VI. Within thirty days after any tax shall have been levied under authority of this Act, every distributor, storer or retail dealer engaged in the sale or withdrawal of gasoline in Jackson County shall make a report on blanks furnished under Section IV hereof to the governing body of said County, showing the place and post office address at which he is engaged in the business of distributor or storer or retail dealer in gasoline within said County, which information shall be entered by the governing body of said County on a book kept for that purpose, and should such distributor, storer or retailer dealer move his place of business from one business address to another, such distributor, storer or retail dealer shall within thirty days thereafter notify the said governing body of such removal, giving the former place and post office address and also the place and post office address to which his place of business has been removed. After the tax imposed under this Act has become effective, no person shall become a distributor, storer or retail dealer of gasoline in said County until he shall have made such reports to the said governing body.

Section VII. If any distributor, storer or retail dealer in gasoline in said County shall fail to make the reports or any of them as required,

in any provision of this Act, or shall fail to comply with any regulation adopted for the collection of said tax by the governing body of said County, within the time required to make such reports, or shall fail to pay the tax imposed within the time fixed for the payment thereof, said distributor, storer or retail dealer shall be guilty of a misdemeanor, and upon the conviction thereof shall be fined not less than \$50.00 nor more than \$300.00 for each offense.

Section VIII. It shall be the duty of the governing body of said County to enforce the provisions of this Act upon its imposing the tax hereunder, and it shall have the right itself, or its members or its agents, to examine the books, reports and accounts of every distributor, storer or retail dealer of gasoline on which such tax has been imposed and to make any and all rules and regulations necessary and proper for the collection of such tax.

Section IX. If any distributor, storer, or retail dealer in gasoline shall fail to make monthly reports or shall fail to pay the tax imposed under the authority of this Act, the tax shall be deemed delinquent within the meaning of this Act and there shall be added to the amount of his tax a penalty of 25%, provided, if in the opinion of the governing body of the said County a good and sufficient cause and reason is shown for such delinquency, the penalty may be remitted. The said governing body shall be authorized and empowered to make returns for delinquent tax payers upon such information as it may reasonably obtain and add to that the penalty as prescribed by this Act. If any person shall be delinquent in the payment of any tax imposed by this Act, the governing body of said County shall issue execution for the collection of the same, directed by any sheriff of the State of Alabama, who shall proceed to collect the same in the manner now provided by law for the collection of delinquent taxes by the County Tax Collector, and make return of such execution to the governing body issuing the same. The tax herein authorized to be levied and the penalty herein provided for, shall be held as a debt payable to the County of Jackson by the person against whom the same shall have been imposed or against whom the penalties shall have accrued, and all such taxes and penalties shall be a lien upon the property in said County and elsewhere in this State of the person against whom said tax shall have been imposed and the penalties shall have accrued.

Section X. The acceptance of any amount paid for the excise tax imposed under this Act shall not preclude the collection of the amount actually due. However, the amount actually paid shall constitute a credit against the amount actually due.

Section XI. Any distributor, storer or retail dealer who shall violate any provision of this Act or who fail to comply with any reasonable rule or regulation promulgated hereunder may be restrained by proper legal proceedings from distributing, selling, storing or withdrawing from storage any gasoline, the sale or withdrawal of which is taxable, until such person or persons shall have complied with the provisions of this Act. Such proceedings shall be instituted in the name of said County by such counsel as the governing body of said County shall direct.

Section XII. Each agent of any railroad company, bus or truck operator or other transportation company or agency operating in Jackson County shall report to the governing body of said County on the first day of October, January, April and July of each year all shipments of gasoline as defined in this Act or substitutes therefor handled by him or through the station or office at which he is agent, and delivered to any person in Jackson County, Alabama, during the preceding three months, giving the names and addresses of the consignor or consignee shipping and receiving said gasoline or substitute therefor and the number of gallons or pounds contained in each and every shipment.

Section XIII. The proceeds of the excise tax authorized in this Act, when collected by the governing body of Jackson County as above authorized, shall be paid into the Special Buildings, Bridges and Road Fund

of Jackson County, Alabama, and shall be used exclusively for the construction, building, maintenance and repair of the public roads, public buildings and bridges of Jackson County, Alabama.

Section XIV. The Board of County Commissioners of Jackson County, Alabama, shall be charged with the duty of seeing that the provisions of this Act are properly enforced, and the said Board of County Commissioners of Jackson County, Alabama, is authorized and empowered to employ such clerical help and inspectors, and fix the rate of pay, as may be necessary in aiding them in the enforcement of the provisions of this Act; the salary of such clerical help and inspectors, and other necessary expense of enforcing this Act, shall be paid from the Special Buildings, Bridges and Road Fund of Jackson County, Alabama.

Section XV. Should any section, paragraph or portion of this Act be declared unconstitutional it shall not invalidate the remaining sections, paragraphs or portions hereof.

Section XVI. All laws or parts of laws in conflict with this Act be and the same are hereby repealed.

Section XVII. This Act shall go into effect on the first day of the month after its passage and approval by the Governor or is otherwise enacted into law.

Approved this the day of, 1949 721A4

STATE OF ALABAMA JACKSON COUNTY

Before me, Lois Stewart, a Notary Public in and for said County and State, personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says: I am the Editor and Publisher of the Progressive Age, a newspaper of general circulation, published in Scottsboro, Jackson County, Alabama. The foregoing notice of local legislation was regularly published in said newspaper once a week for four consecutive weeks in the issues of July 21, July 28, August 4 and August 11th, without expense to the State of Alabama.

P. W. CAMPBELL.

Sworn to and subscribed before me this 12th day of August, 1949.
LOIS STEWART,
Notary Public.

Also:

By Mr. Denton:

H. 1091. To abolish the Commissioners Court of Blount County, Alabama, and to establish in lieu thereof the Board of Revenue of Blount County, Alabama; to provide that said Board of Revenue shall consist of a chairman and four other members; to designate and name the first members of said Board and to provide for election of their successors; to fix the terms of office of the members of said Board; to prescribe the qualifications of the members of said Board; to divide the county into four districts; to prescribe and fix the terms and sessions of said Board and quorum thereof; to prescribe, fix and limit the powers, jurisdiction, duties and authority of said Board; to provide that all general laws which may hereafter be enacted affecting county governing bodies shall apply to said Board; to provide for and fix the compensation of the members of said Board; to provide for the filling of any vacancies that may occur on said Board.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the Commissioners Court of Blount County, Alabama, and to establish in lieu thereof the Board of Revenue of Blount County, Alabama; to provide that said Board of Revenue shall consist of a chairman and four other members; to designate and name the first members of said Board and to provide for election of their successors; to fix the terms of office of the members of said Board; to prescribe the qualifications of the members of said Board; to divide the county into four districts; to prescribe and fix the terms and sessions of said Board and quorum thereof; to prescribe, fix and limit the powers, jurisdiction, duties and authority of said Board; to provide that all general laws which may hereafter be enacted affecting county governing bodies shall apply to said Board; to provide for and fix the compensation of the members of said Board; to provide for the filling of any vacancies that may occur on said Board.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Commissioners Court of Blount County, Alabama, as now established by law, be and the same is hereby abolished; that there is hereby created and established in lieu of the Commissioners Court of Blount County a Board of Revenue of Blount County; that the Board of Revenue of Blount County shall be composed of a chairman and four other members as hereinafter provided, and that said Board of Revenue of Blount County shall be the governing body of Blount County, Alabama.

Section 2. That the first members of said Board of Revenue shall be the same persons as now compose the Commissioners Court of Blount County, Alabama as now constituted. The Probate Judge of Blount County shall be the chairman of the Board and shall hold office as such chairman during the tenure of his office as Probate Judge of Blount County; that W. P. (Pete) Copeland shall be the first member of said Board from District No. 2, and he shall hold office until the first Monday after the second Tuesday in January, 1953, and until his successor is elected and qualified; that A. S. McCay shall be the first member of said Board from District No. 4 and shall hold office until the first Monday after the second Tuesday in January, 1953, and until his successor is elected and qualified; that Fred Boren shall be the first member of said Board from District No. 1 and shall hold office until the first Monday after the second Tuesday in January, 1951, and until his successor is elected and qualified; that Joe H. Lewis shall be the first member of said Board from District No. 3 and shall hold office until the first Monday after the second Tuesday in January, 1951, and until his successor is elected and qualified.

Section 3. That the County of Blount is hereby divided into four Districts, said Districts to have the same boundaries and to bear the same numbers as now provided by law.

Section 4. That each of the members of said Board shall be a qualified elector of the district from which he is elected and shall be nominated by the qualified electors of the District and elected by the qualified electors of said county; that the successors of the members of the Board herein designated for Districts 2 and 4 shall be elected at the general election

in 1952 and every four years thereafter; that the successors to the members of the Board herein designated as Districts 1 and 3 shall be elected at the general election in 1950 and every four years thereafter; that the terms of office of each of said members shall begin on the first Monday after the second Tuesday in January after his election and shall continue for a term of four years thereafter and until his successor is elected and qualified.

Section 5. That any vacancy occurring on said Board shall be filled by appointment of the other members of said Board. If the other members of said Board should fail to fill such vacancy within fifteen days after such vacancy has occurred, the members of said Board shall forfeit their right to fill such vacancy and such vacancy shall be certified to the Governor by the Circuit Clerk of Blount County, Alabama, and thereupon the Governor shall appoint someone to fill such vacancy. Such appointment shall be for the unexpired term for which such person is appointed and such appointee shall hold office for said unexpired term and until his successor is elected and qualified.

Section 6. That said Board of Revenue shall be the governing body of Blount County, and shall have all jurisdiction, powers and authority now granted to or conferred upon courts of county commissioners, boards of revenue or other like governing bodies by the general laws of the State of Alabama or by any local law for Blount County not in conflict herewith, and shall be subject to the same restrictions and responsibilities; that said Board shall have power and authority to manage and control all property and funds of Blount County as it may deem expedient according to law, to acquire and dispose of property as may be found necessary for county purposes; to levy taxes for general purposes and for all special purposes provided by law; to examine, settle and allow all claims, accounts and things chargeable against the county; to audit and settle all accounts of all officers having the care, management, collection or disbursement of money belonging to the county or appropriated for the use or benefit of said county; to have control of the convict labor of said county and the disbursement of the proceeds thereof as is or hereafter may be authorized by law; to have control of and make provisions for the poor of said county as may be provided by law; to enforce the payment of all debts and obligations which may be now owing or which may be hereafter due or owing to said county by any person, firm or corporation; to make or authorize the making of all county contracts deemed necessary and to bind said county in any lawful contract as provided by law; to provide for the purchase and payment of all necessary stationery, office material and supplies, furniture and fixtures necessary or convenient for the use of said Board for the use of all officers of said county.

Section 7. That said Board of Revenue shall maintain an office in the Courthouse of said county where all its meetings shall be held and all of its records kept; that said Board shall hold its regular sessions or meetings on the second Monday in each month and may continue in session as long as may be necessary to conduct the business of said county; that said Board may adjourn its meetings or sessions from time to time as may be found necessary or convenient to conduct the business of said county; that said Board may hold meetings or sessions at any time upon call of the chairman and notice given to each member of said Board; that a majority of all members of said Board shall constitute a quorum of said Board for the transaction of all business; that any members less than a quorum may adjourn the sessions or meetings of said Board until another day.

Section 8. That the chairman of said Board shall be its presiding officer; he shall have a vote on all matters coming before said Board and shall have the same power and authority as any other member in passing on all questions before said Board; he shall sign the minutes of

the proceedings of said Board and shall sign all warrants drawn on the County Treasurer or County Depository, and all orders for the payment or disbursement of the funds of the county, and shall sign all contracts entered into by the County of Blount through the said Board and shall sign all deeds or conveyances to property sold by said county; it shall be the duty of said chairman to prepare business and obtain information for all meetings of said Board and see that all orders thereof are properly executed; should said chairman be disabled to act or should he be absent from any meeting of said Board, then the other members of said Board shall by resolution, duly entered on the minutes, appoint one of the other members of said Board as acting chairman and such acting chairman shall have all the authority and shall perform all the duties of the chairman during his absence or disability.

Section 9. That all members of the Board except the probate judge who shall receive the same compensation as the presiding judge of courts of county commissioners, shall each be paid an annual salary of \$2,400.00 payable in equal monthly installments of \$200.00, per month by warrant issued by said Board and signed by the chairman; that said salaries shall be in lieu of all other compensation and expenses, including all per diem, mileage, expenses or fees. Each member of said Board shall at his own expense and without cost to the county furnish his own transportation for performing his official duties and shall not be entitled to the use of gasoline, oil or other products belonging to the county; said salary may be paid, either in whole or in part, out of the county road and bridge fund, the county general fund or the county gasoline tax fund, or by apportionment among said funds, as the Board may from time to time determine.

Section 10. That said Board shall have the authority to employ a clerk for said Board and to fix his salary. It shall be the duty of the clerk to attend the meetings of said Board and perform such other duties as may be prescribed for him by the Board. The term of office of said clerk shall be at the pleasure of said Board and the salary of said clerk shall be paid in the same manner and from the same funds as the salaries of the members of said Board.

Section 11. That said Board shall have general supervision over the highways, roads and bridges of Blount County, as provided by the general laws of the State of Alabama; it shall be the duty of said Board to construct and maintain a good county wide system of public roads so far as is consistent with the finances available; said Board shall employ all labor necessary in such construction and maintenance where the work is done by the county, and the Board shall classify all employees engaged in the construction and maintenance of roads and bridges in the county and shall fix a uniform salary and wage scale for each classification.

Section 12. That said Board shall have the power and authority to employ a county engineer to supervise and direct the construction and maintenance of roads and bridges for the entire county; that such engineer shall be subject to the jurisdiction and direction of said Board and his qualifications, salary and terms of employment shall be fixed by said Board.

Section 13. That the official bonds heretofore made and filed by the members of the Board of Revenue, given as members of the Commissioners Court of Blount County, shall continue and remain in effect, for the terms for which they were given, as bonds of said individuals as members of the Board of Revenue and shall cover their official acts and duties as members of said Board of Revenue; when said bonds expire then the members of said Board shall be required to make official bonds in amounts and to be approved in the manner as required by the general laws of the State of Alabama. The Board of Revenue may in its discretion require any person employed by it to give a bond in such amount and with such sureties as it may determine; such bond, if required, shall

be made payable to Blount County, be approved by said Board and filed and recorded in the office of said Board. The premium on the bonds of the members of said Board and on the bonds of any employee, if required, shall be paid by Blount County.

Section 14. That all laws and parts of laws, both general, local and special, in conflict with the provisions of this Act, be, and the same are hereby repealed.

Section 15. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

N. C. DENTON,
Representative.
C. B. HARVEY,
Senator.

21July4t

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, Aug. 4, and Aug. 11, all in the year 1949.

RICE M. HOWARD.

Sworn to and subscribed before me Aug. 15, 1949.

J. E. BAINS,
Notary Public.

Also:

By Mr. Denton:

H. 1092. To amend Sections 4 and 8 of an Act entitled "To establish an inferior court in Blount County, Alabama, with concurrent jurisdiction of Justice of the Peace Courts in said County and to define the jurisdiction and powers of said Court and the Judge thereof; to provide for the execution of processes of said Court and the operation thereof, to provide for the effect of recorded judgments of said Court, to provide for the appointment, election and term of office, qualifications and compensations of the judge thereof, and to provide the place and times of the holding of such Court," approved July 17, 1931.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that at the present session of the legislature the following local act will be introduced and passed.

A BILL TO BE ENTITLED AN ACT

To amend Sections 4 and 8 of an Act entitled "To establish an inferior court in Blount County, Alabama, with concurrent jurisdiction of Justice of the Peace Courts in said County and to define the jurisdiction and powers of said Court and to define the jurisdiction and powers of said

Court and the Judge thereof; to provide for the execution of processes of said Court and the operation thereof, to provide for the effect of recorded judgements of said Court, to provide for the appointment, election and term of office, qualifications and compensations of the judge thereof, and to provide the place and times of the holding of such Court," approved July 17, 1931.

Be It Enacted by the Legislature of Alabama:

Section 1. That Sections 4 and 8 of an Act entitled "To establish an inferior court in Blount County, Alabama, with concurrent jurisdiction of Justice of the Peace Courts in said County and to define the jurisdiction and powers of said Court and the Judge thereof; to provide for the execution of processes of said Court and the operation thereof, to provide for the effect of recorded judgements of said Court, to provide for the appointment, election and term of office, qualifications and compensations of the judge thereof, and to provide the place and times of the holding of such Court," approved July 17, 1931, be and the same are hereby amended so as to read as follows:

"Section 4. That the judge of said court shall receive as compensation for his services in criminal cases the same fee now allowed under the general law in the county courts of the several counties of the State, which fee shall be taxed and collected as now or may hereafter be provided by law. In the event any case tried before said court is not prosed or the defendant is not convicted, the judge shall receive the same fee in like cases as those allowed in county courts."

"Section 8. That said court shall have jurisdiction in all civil cases to the amount of five hundred dollars, except in cases of libel, slander, assault, and battery, and ejectment and shall have and exercise all the jurisdiction in criminal cases or offenses where the justices of the peace now have jurisdiction, and to issue all such processes, both civil and criminal as are by law authorized to be issued by justices of the peace, or that may hereafter be by law conferred upon justices of the peace. For the services of the judge in civil cases, his compensation shall be as follows: In cases which involve fifty dollars or less, he shall receive one dollar; in cases involving more than fifty dollars, up to and including one hundred dollars, he shall receive one dollar and fifty cents; in cases involving more than one hundred dollars, up to and including two hundred dollars, he shall receive two dollars and fifty cents; in cases involving more than two hundred dollars, up to and including three hundred dollars, he shall receive three dollars and fifty cents; in cases involving more than three hundred dollars, up to and including four hundred dollars, he shall receive four dollars and fifty cents; in cases involving four hundred dollars up to and including five hundred dollars, he shall receive five dollars. Such cost shall be taxed and collected as provided in justices of the peace courts. The clerk of the Circuit Court shall act as clerk of the inferior court of Blount County and for his services in said court, he shall receive the same compensation for like services rendered in the Circuit Court.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

N. C. DENTON,
Representative.
B. C. HARVEY,
Senator.

21 July 4t

THE STATE OF ALABAMA
BLOUNT COUNTY

Personally appeared before the undersigned authority, Rice M. Howard, who, being duly sworn, deposes and says that he is the publisher of

The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed Local Legislation was published for 4 consecutive weeks in said newspaper, commencing on the 21 day of July, 1949, and ending on the 11 day of August, 1949.

RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me this 15 day of August, 1949.

J. E. BAINS,
Notary Public.

SEAL

Also:

By Messrs. Beatty, Gibson, Meeks, Adams (Jefferson) and Dumas:

H. 1031. To provide for the combination of the Offices of License Inspector or Department of Revenue or any like office or department and the Office of Commissioner of Licenses or any like office or department in any county having a population of 400,000 or more according to the last or any succeeding Federal Census whenever the Offices of License Inspector or Director of Revenue or Commissioner of Licenses in any such county shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law and to provide for the salary of such Director and to provide for the employees of such Department of Revenue.

Also:

By Messrs. Kaul, Dumas, Meeks, Beatty, and Gibson:

H. 918. To amend Section 37 of Act No. 573 of the regular session of the Legislature of Alabama approved September 19, 1939, (General Acts of Alabama of 1939, Page 910 Et Seq.) as said Section 37 is set forth in Section 1 of Act No. 307 of the Regular Session of the Legislature of Alabama, approved June 28, 1943, which said Act No. 307 re-enacted and amended said Act No. 573, and which said Section 37 as set forth in Section 1 of said Act No. 307 provides as follows: "Section 37: No person employed after the effective date of this Act by any City subject hereto shall be entitled to the benefits nor subject to the burdens hereof. All benefits under the provision of this Act shall be reduced each month by an amount which the beneficiary receiving the same received during the then last previous month as salary, wages or compensation from any town, city, county or The State of Alabama."

Also:

By Mr. Bennett:

H. 662. To apply in all counties of this State having a population of not less than 140,000 according to the last or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to provide for the appointment of the members of said Plumbers Examining Board and their term of office; to provide for the payment of compensation to the members of said Board and the employees thereof, and to provide for the payment of expenses incurred by the members of said Board and its employees; to define the powers conferred upon and duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and certificate

fees; to empower the said Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this Act.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1104, 1103, 1102, 1086, 1094, 1101, 1109, 1105, 1106, 1107, 1100, 1110, 1108, 1093, 1088, 1087, 1090, 1095, 1091, 1092, 1031, 918, and 662. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Allen:

S. J. R. 75. Relative to extending sympathy to the family of Mrs. W. H. Cooper.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 487. To amend Section 204 of Title 26, 1940 Code as amended by Act Number 310 of the 1943 Legislature and as further amended by Act Number 283 of the 1945 Legislature, relating to unemployment compensation.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

By Mr. Mize:

S. 138. To amend Section 213 of Title 26, 1940 Code, as amended by Act Number 310 of the 1943 Legislature, and as further amended by Act Number 283 of the 1945 Legislature, relating to unemployment compensation.

Also:

By Mr. Mize:

S. 139. To amend Section 194 of Title 26, 1940 Code, Relating to Unemployment Compensation.

Also:

By Mr. Mize:

S. 140. To amend Section 214 of Title 26, 1940 Code, as amended by Act No. 310 of the 1943 Legislature, relating to unemployment compensation.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 542. Authorizing the board of education of any county having a population of not less than 23,000 nor more than 25,000 inhabitants, to impose additional duties on the county superintendent of education and to increase his salary to compensate him for the additional duties imposed upon him.

Also:

S. 540. To require the tax assessor and tax collector of counties having a population of not less than 23,000 nor more than 25,000 inhabitants as shown by the last or any subsequent federal census, in addition to such duties as are now required of them by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor and tax collector of such counties, to be paid out of the general fund of such counties, on account of such extra and additional duties.

Also:

S. 539. To impose additional duties upon the county solicitor of any county having a population of not less than 23,000 nor more than 25,000 inhabitants and to increase his compensation for the performance of such duties.

Also:

S. 616. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Also:

S. 617. Relating to all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body

of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Also:

S. 618. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 50,000 people nor more 78,500 people, according to the last or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

Also:

S. 619. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Also:

S. 615. To authorize the governing body of any municipality in the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

Also:

S. 613. Relating to the Board of Education of Tuscaloosa County; authorizing the board to expend public school funds to provide office supplies and equipment for use in the office of the Superintendent of Education.

Also:

S. 620. To amend Act No. 200, which passed the Senate on June 28, 1949 and passed the House on July 6, 1949, said Act being entitled "An Act to propose an amendment to the Constitution of Alabama 1901, to authorize the governing body of Marion County, Alabama, to issue bonds, warrants, or other evidences of indebtedness and to pledge in payment of the principal and interest due upon any such bonds, warrants, or other evidences of indebtedness, only the proceeds derived, or to be derived, from any special county privilege, license or excise taxes heretofore or hereafter levied and collected within Marion County, Alabama, for the sole and exclusive purpose of constructing, equipping, operating, maintaining or improving public hospitals or related hospital or health facilities, including clinics, nursing homes, public health centers and laboratory facilities, or for such other public purposes of any kind and description as in the judgment of the governing body of the county of Marion is meet and proper, and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature."

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Boutwell, further consideration of the bill, H. B. 752, was indefinitely postponed by the Senate.

On motion of Mr. Langan, further consideration of the bill, S. B. 483, was indefinitely postponed by the Senate.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Cater, further consideration of the bill, S. B. 599, was indefinitely postponed by the Senate.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Patton, further consideration of the bills, H. B. 987 and S. B. 605, were indefinitely postponed by the Senate.

On motion of Mr. Lowe, further consideration of the bill, S. B. 606, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 552. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection and construction of hospitals within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest bearing bonds in the amount not to exceed \$2,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on such bonds and for the retirement thereof; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Snodgrass:

H. J. R. 144. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that when the two Houses adjourn today, they adjourn to meet on Friday, August 26, 1949.

And send same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 144, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

By Mr. Allen:

S. 401. To authorize housing authorities created pursuant to Title 25 of the Code of Alabama of 1940, to make payments to local public bodies, to engage in housing research and studies and make the results thereof available to the public, and the building, housing and supply industries; granting additional powers to county and regional housing authorities in connection with rural housing; and authorizing housing authorities to enter into certain agreements to secure Federal contributions.

Also:

By Mr. Allen:

S. 402. To authorize housing authorities to clear blighted areas and prevent blight; to acquire real property and make it available for re-development by private enterprise or by public agencies in accordance with approved redevelopment plans; and to confer necessary powers on housing authorities, cities and other public bodies, and to make obligations issued by housing authorities in connection with redevelopment projects legal investments and security for deposits; to enable the advance preparation of projects so they can provide jobs and stimulate industry when necessary in the period of reconversion; and to authorize the creation of an Advisory Board to housing authorities composed of representatives of business, real estate, home financing and other interests.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING

The Bill:

H. 974. To repeal Subdivision 1 and Subdivision 2 of Article 17 of Title 62 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Kimbrell	Perry	
Barrett	Golson	Langan	Quarles	
Boutwell	Gulledge	Lowe	Russell	
Bridges	Harvey	Mize	Swift	
Cater	Hooton	Patton	Wright	
Coleman	Hughes			—21

Nays:

—0

The Bill:

H. 486. To propose an amendment to the Constitution of Alabama 1901, to authorize the several school districts of Cherokee County, Alabama, to levy and collect a special district tax of fifty cents on each one hundred dollars worth of taxable property in such districts for public school purposes, and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the legislature.

Was read a third time at length as required by the Constitution and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patton
Allen	Gaither	Hughes	Perry
Barrett	Glover	Kimbrell	Quarles
Boutwell	Golson	Langan	Russell
Bridges	Gulledge	Mize	Summerlin
Burnside	Hardwick	Owens	Swift
Cater	Henderson	Patterson	Wright
Clayton			—28

Nays: —0

The Bill:

H. 977. To apply in all counties of this State having a population of not less than 140,000 according to the last or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to provide for the appointment of the members of said Plumbers Examining Board and their term of office; to provide for the payment of compensation to the members of said Board and the employees thereof, and to provide for the payment of expenses incurred by the members of said Board and its employees; to define the powers conferred upon and duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and certificate fees; to empower the said Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this Act.

was taken up.

Mr. Langan offered the following amendment to the bill, to-wit:

Amend House Bill No. 977 as follows:

By striking therefrom the words "official fidelity bond" where the same appears in the second paragraph of Section 6 of said bill and substituting in lieu thereof the words "official bond".

Further amend House Bill 977 by striking the period at the end of Section 13 thereof, substituting a comma therefor and adding the following:

"provided, however, that the aggregate liability of the surety to all persons so damaged shall, in no event, exceed the sum of said bond".

By striking and deleting therefrom Section 16 and renumbering Sections 17, 18, 19 and 20 as Sections 16, 17, 18 and 19, respectively.

By inserting the word "is" immediately following the word "certificate" and immediately preceding the word "in" in the sixth line of Section 7 as amended.

By inserting the word "not" immediately following the word "shall" and immediately preceding the word "be" in the ninth line of Section 3, Par. Two.

Amend Section 7, line eighteen of the third paragraph by striking therefrom the words "in Alabama" and inserting in lieu thereof the following words "under the general laws of the State of Alabama".

Amend sub-section (F) of Section 15 by adding thereto the following: "provided, however, a permit has been obtained from the municipality for such installation where the same is required by municipal ordinance".

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Hughes	Owens	
Allen	Golson	Kendall	Patterson	
Barrett	Gulledge	Kimbrell	Quarles	
Boutwell	Hardwick	Langan	Russell	
Cater	Henderson	Lowe	Wright	
Coleman	Hooton			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21, Nays 0.

Yeas:

Messrs.:	Gaither	Hughes	Owens	
Allen	Golson	Kendall	Patterson	
Barrett	Gulledge	Kimbrell	Quarles	
Boutwell	Hardwick	Langan	Russell	
Cater	Henderson	Lowe	Wright	
Coleman	Hooton			—21

Nays: —0

The Bill:

S. 591. For the relief of Mrs. Ruth Kersh: Appropriating the sum of one thousand dollars to Mrs. Ruth Kersh as compensation for the death of her husband who died as the result of injuries received during the course of his employment by the State Highway Department.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Fite	Hughes	Patton	
Barrett	Glover	Kendall	Perry	
Bridges	Gulledge	Kimbrell	Quarles	
Burnside	Hardwick	Lamberth	Summerlin	
Cater	Harvey	Langan	Swift	
Clayton	Henderson	Owens		—26

Nays: —0

The Bill:

H. 1028. To change the designation of the office of the License Inspector to the Department of Revenue and to change the designation of the License Inspector to Director of Revenue, in all counties having a population of 400,000 or more according to the last or any succeeding Federal census, to provide for the appointment, tenure, powers and duties of the Director of Revenue, and to grant power to said Department to require information to be furnished and to require the production for inspection of books, records, and papers.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Langan	Quarles	
Boutwell	Gulledge	Lowe	Russell	
Bridges	Harvey	Mize	Summerlin	
Cater	Hooton	Patton	Swift	
Coleman	Howle	Perry	Wright	
Fite	Kendall			—21

Nays: —0

The Bill:

H. 1029. To increase and fix the salary of the Clerk of the Circuit Court of Jefferson County, Tenth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Hooton	Patterson	
Allen	Fite	Hughes	Patton	
Boutwell	Gaither	Kimbrell	Perry	
Bridges	Glover	Langan	Quarles	
Burnside	Gulledge	Mize	Russell	
Cater	Henderson			—21

Nays: —0

The Bill:

H. 1030. To increase the compensation of the Judge of the Jefferson County Court of Misdemeanors.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Lowe	
Barrett	Fite	Hughes	Patterson	
Boutwell	Glover	Kendall	Perry	
Burnside	Gulledge	Kimbrell	Russell	
Cater	Harvey	Lamberth	Wright	
Clayton	Henderson			—21

Nays: —0

The Bill:

H. 1032. To amend Title 13, Section 199 of the 1940 Code of Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hooton	Patterson	
Allen	Glover	Hughes	Patton	
Boutwell	Gulledge	Lamberth	Quarles	
Burnside	Hardwick	Lowe	Summerlin	
Clayton	Harvey	Mize	Wright	
Coleman	Henderson			—21

Nays: —0

The Bill:

S. 627. To provide for and to authorize in counties having a population of 400,000 or more according to the last or any subsequent federal census the business of clearing roots and other foreign obstructions from sewer lines in cities and municipalities by means of electric cutting machines, provided entrance is made

at established clean out caps or plugs only, and without otherwise affecting the established sewer lines or fixtures.

was taken up.

Mr. Boutwell offered the following amendment to the bill, to-wit:

AMENDMENT TO SENATE BILL NO. 627

That Senate Bill number 627 be and the same is hereby amended in the caption and body thereof as follows: by striking the word "electric" and the word "electrically" wherever said word, or either of them, are used in the caption and body of said Bill and by substituting therefor the word "power".

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Fite	Kendall	Quarles	
Boutwell	Glover	Lamberth	Russell	
Bridges	Golson	Lowe	Summerlin	
Burnside	Hardwick	Owens	Wright	
Clayton	Henderson			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Fite	Kendall	Quarles	
Boutwell	Glover	Lamberth	Russell	
Bridges	Golson	Lowe	Summerlin	
Burnside	Hardwick	Owens	Wright	
Clayton	Henderson			—21

Nays: —0

The Bill:

H. 1023. To amend Chapter 9, Title 15 of the Code of Alabama of 1940 relating to Bail, as amended by Act No. 199 July 8, 1949, by defining the power and authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or Bail Bonds, by the failure of the defendant to appear as required, in all counties in this State having a population of Four Hundred Thousand (400,000) inhabitants, or more, according to the last or any subsequent Federal census; and to authorize the courts in such counties

to remit, in whole or in part, the penalty of such Bail Bonds as the ends of justice may, unto the court, appear to require.

was taken up.

Mr. Mize offered the following amendment to the bill, to-wit:

AMENDMENT TO HOUSE BILL 1023

Amend House Bill 1023 as follows:

1. Strike from the title thereof the words and figures "four hundred thousand (400,000)" and insert in lieu thereof "seventy-two thousand (72,000)."

2. Strike from Section 1 thereof the words and figures "four hundred thousand (400,000)" and insert in lieu thereof "seventy-two thousand (72,000)."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patterson
Allen	Fite	Kendall	Patton
Barrett	Gulledge	Kimbrell	Perry
Boutwell	Hardwick	Lamberth	Quarles
Bridges	Harvey	Langan	Russell
Burnside	Henderson	Lowe	Swift
Cater	Howle	Mize	Wright
Clayton			

—28

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Coleman	Kendall	Patterson
Allen	Gaither	Kimbrell	Patton
Barrett	Gulledge	Lamberth	Perry
Boutwell	Hardwick	Langan	Quarles
Bridges	Henderson	Lowe	Russell
Burnside	Howle	Mize	Swift
Cater	Hughes	Owens	Wright
Clayton			

—28

Nays:

—0

The Bill:

H. 1024. To propose an amendment to the Constitution of Alabama which will authorize the levy and collection of an additional tax for public school purposes in Jefferson County.

Was read a third time at length as required by the Constitution and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Fite	Hughes	Patton	
Barrett	Gaither	Kendall	Perry	
Boutwell	Glover	Kimbrell	Quarles	
Bridges	Gulledge	Lamberth	Russell	
Burnside	Hardwick	Langan	Swift	
Cater	Harvey	Mize	Wright	
Clayton	Henderson	Owens		—30

Nays: —0

The Bill:

H. 1027. To amend Section 2 of an act entitled "An act to further define and extend the powers, authority and duties of the Circuit Solicitor of the tenth judicial Circuit; To require the Circuit Solicitor of the tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried in the Juvenile and Domestic Relations Court of Jefferson County; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Juvenile and Domestic Relations Court of Jefferson County and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act." House Bill 507, Approved, September 30, 1947.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson	
Allen	Gaither	Kendall	Patton	
Barrett	Glover	Kimbrell	Quarles	
Boutwell	Gulledge	Langan	Summerlin	
Burnside	Hardwick	Mize	Wright	
Cater	Hooton			—21

Nays: —0

The Bill:

H. 1022. For the relief of Mrs. Emma V. Eley, in the sum of Twelve Hundred and No/100 (\$1200) Dollars in that on, to-wit, October 21, 1947, a duly authorized agent, servant or employee of Jefferson County, Alabama, Mr. Joe Pickens, negligently drove an automobile into an automobile, the property of Mrs. Emma V. Eley in which Mrs. Emma V. Eley was riding and which she was operating at said time at the intersection of 66th Street and Division Avenue in Birmingham, Jefferson County, Alabama, said

sum covering actual damages to the automobile of Mrs. Emma V. Eley and to her person in that she was permanently and painfully injured by the authorized agent, servant or employee of Jefferson County, Alabama, for repairs to said automobile and for hospital bills, medical expenses in and about her treatment.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Kimbrell	Perry	
Allen	Gaither	Mize	Quarles	
Boutwell	Golson	Owens	Russell	
Bridges	Harvey	Patterson	Summerlin	
Cater	Hooton	Patton	Swift	
Clayton	Hughes			—21

Nays:

—0

The Bill:

H. 1017. To amend Act No. 668, H. B. 760, approved October 8, 1947 (General Acts of 1947, pp. 509-511) entitled "An Act To provide for the registration of voters and purging registration lists in counties having a population of 300,000 or more according to the last or any subsequent federal census; and to provide for the compensation of the chairman and members of the Board of Registrars in such counties; and to provide for employment of clerical or secretarial employees under the provisions of the county Merit System Act."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Quarles	
Allen	Gulledge	Kimbrell	Russell	
Boutwell	Hardwick	Lamberth	Summerlin	
Burnside	Harvey	Lowe	Swift	
Cater	Henderson	Perry	Wright	
Clayton	Hooton			—21

Nays:

—0

The Bill:

H. 1018. For the relief of Mrs. Ethel Mae Dorrity, in the sum of One Thousand and No/100 (\$1,000) Dollars in that on, to-wit, October 21, 1947, a duly authorized agent, servant or employee of Jefferson County, Alabama, Mr. Joe Pickens, negligently drove an automobile into an automobile in which the said Mrs. Ethel Mae Dorrity was riding as a passenger, and permanently and painfully injuring her, at the intersection of 66th Street and Division Avenue in Birmingham, Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Owens	
Barrett	Gaither	Kendall	Patterson	
Boutwell	Glover	Kimbrell	Perry	
Bridges	Hardwick	Langan	Russell	
Burnside	Harvey	Lowe	Wright	
Clayton	Henderson			—21

Nays:

—0

The Bill:

H. 1019. To further amend local Act No. 334 of the 1945 regular session of the Legislature of Alabama (Local Acts 1945 page 144, et sequitur) as heretofore amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Perry	
Allen	Gaither	Mize	Quarles	
Barrett	Glover	Owens	Russell	
Boutwell	Golson	Patterson	Summerlin	
Bridges	Gulledge	Patton	Swift	
Burnside	Hardwick			—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

By Mr. Russell:

S. 501. To amend sections 1 and 4 of an act approved May 28, 1943 providing for the placing of the Judge of Probate of Morgan County, Alabama on a salary, being Act No. 70 of the regular session of the Legislature of 1943.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Russell the Senate non-concurred in the following House amendment to the bill, S. B. 501, the title of which is set out in the foregoing Message from the House, to-wit:

Amend Senate Bill 501 by striking from Section 1 thereof the words and figures "Six Thousand Two Hundred (\$6,200.00)" and by inserting in lieu thereof the words and figures "Six Thousand (\$6,000.00)".

and requests Committee on Conference.

The President and Presiding Officer of the Senate appointed as conferee on part of the Senate Mr. Russell.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 487. To amend Section 204 of Title 26, 1940 Code as amended by Act Number 310 of the 1943 Legislature and as further amended by Act Number 283 of the 1945 Legislature, relating to unemployment compensation.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully yours,

O. H. FINNEY, JR.,
Executive Secretary.

August 23, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama
Gentlemen:

I have on this date approved and signed Senate Bill No. 33, authorizing the Legislative Council to increase the salary of the Director of the Legislative Reference Service to \$6500 per annum, and House Bill No. 313 which increases the salaries of the circuit solicitors of the State in the sum of \$1200 per annum.

It is well known that practically all public officials, whether elected or appointed, are grossly underpaid. I have not opposed any bill which increases the salary of any official whether such bill be local or general in its nature. I believe that higher remuneration attracts better men for public office.

There is now pending before you House Bill No. 625 which authorizes the Governor to increase the salaries of certain department heads and state officials to \$7500 per annum.

This measure is in keeping with numerous bills passed by both Houses of the Legislature increasing the salaries of various public officials and I respectfully urge you to give this bill priority and enact it into law

so that department heads and state officials can get their salaries increased commensurate with other public officials.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to H. B. 625 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following bill:

S. 574. To amend Act No. 569, General Acts of 1947, Page 402, approved October 2, 1947, "To fix and prescribe the salaries to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of said salaries by the counties of certain judicial circuits," and to provide for the repeal of all acts, all laws and parts of laws in conflict herewith.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Russell the Senate concurred in and adopted the following House amendment to the bill, S. B. 574, the title of which is set out in the foregoing Message from the House.

AMENDMENT TO SENATE BILL 574

Amend Senate Bill 574 by changing the words and figures "Nine Thousand Dollars (\$9000.00)" in Section 1 thereof in the sentence having to do with circuits composed of only one county having more than two judges and less than nine judges to the words and figures "Ten Thousand Dollars (\$10,000.00)", and by changing the words and figures "Fifteen Hundred Dollars (\$1500.00)" where it appears in the same sentence as above to the words and figures "Twenty-Five Hundred Dollars (\$2500.00)".

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Patton
Allen	Gaither	Kimbrell	Perry
Barrett	Glover	Lamberth	Quarles
Boutwell	Gulledge	Langan	Russell
Burnside	Hardwick	Lowe	Summerlin
Cater	Harvey	Mize	Swift
Clayton	Howe	Patterson	Wright
Coleman	Hughes		

—29

Nays:

—0

And said bill, as thus amended, was again read at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patterson
Allen	Gaither	Kendall	Patton
Barrett	Glover	Kimbrell	Perry
Boutwell	Gulledge	Lamberth	Quarles
Burnside	Hardwick	Langan	Russell
Cater	Harvey	Lowe	Summerlin
Clayton	Henderson	Mize	Swift
Coleman	Howle	Owens	Wright

—31

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the Bill:

S. 501. To amend sections 1 and 4 of an act approved May 28, 1943 providing for the placing of the Judge of Probate of Morgan County, Alabama on a salary, being Act No. 70 of the regular session of the Legislature of 1943.

And the Speaker of the House has named as Conferee on the part of the House Mr. Harris.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 293. To authorize the Alabama State Board of Education to contract with Tuskegee Institute, Meharry Medical College, and any other nonsecular institutions of higher learning either within or without the state for educational services for Alabama students and for out of state aid for Alabama students attending institutions of higher learning in other states and to authorize the State Board of Education to enter into contracts and to otherwise provide for the expenditure of any appropriations made to Regional Education.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 572. To impose extra, new, and additional duties upon the Attorney General of Alabama; to provide additional compensation for the performance of the extra, new, and additional duties hereby imposed

upon him; and to provide for the payment of such additional compensation out of the general fund of the State of Alabama.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Quarles the Senate concurred in the following House amendment to the bill, S. B. 572, the title of which is set out in the foregoing Message from the House.

SUBSTITUTE FOR SENATE BILL NO. 572

A BILL TO BE ENTITLED AN ACT

To impose extra, new and additional duties upon the Attorney General of Alabama and his assistants; to provide additional compensation for the performance of the extra, new, and additional duties hereby imposed upon them; and to provide for the payment of such additional compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. That, in addition to the duties now imposed upon them by law, the Attorney General of Alabama and his assistants shall perform the following extra, new, and additional duties: (a) They shall examine and approve or disapprove all cost bills submitted to the State in criminal cases wherein the costs are claims or charges against the convict fund under the provisions of Title 45, Section 69, Code of Alabama 1940, as amended, or as the same may hereafter be amended; and no cost bill in any such case shall be payable until the same has been so approved for payment. (b) They shall, when requested to do so by the chief executive authority of any municipality in the State of Alabama, represent said municipality before the appellate courts of this State in any case appealed to such courts involving the constitutionality of a municipal ordinance.

Section 2. That the extra, new, and additional duties hereby imposed upon the Attorney General of Alabama and his assistants shall be performed by the Attorney General personally or by his assistants under his supervision, direction, and control.

Section 3. That, for the performance of the extra, new, and additional duties hereby imposed upon the Attorney General of Alabama, he shall be paid additional compensation, in the amount of eighteen hundred dollars (\$1800.00) per year, such additional compensation to be paid out of the State treasury in the same manner as the salaries of other State officers are paid. The compensation herein provided for the Attorney General of Alabama is in addition to his salary as now provided by law, it being the inten-

tion of this act to make his total compensation seven thousand five hundred dollars (\$7500.00) per year.

Section 4. That, for the performance of the extra, new and additional duties hereby imposed upon the assistant attorneys general, they shall be paid such additional compensation as may be determined by the State Personnel Board in accordance with the provisions of the State Merit System Law, but the total compensation of any assistant attorney general, including the additional compensation herein provided for, shall not exceed seventy-five hundred dollars (\$7500.00) per year.

Section 5. That this Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

Yeas 30; Nay 1.

Yeas:

Messrs.:	Glover	Kendall	Patton
Allen	Golson	Kimbrell	Perry
Boutwell	Gulledge	Lamberth	Quarles
Burnside	Hardwick	Langan	Russell
Cater	Harvey	Lowe	Summerlin
Clayton	Henderson	Mize	Swift
Coleman	Howle	Owens	Wright
Fite	Hughes	Patterson	—30

Nay: Mr. Gaither —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Brown:

H. J. R. 145. Be it resolved by the House of Representatives the Senate concurring that H. B. 487 be known as the McGowin and Mize Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 145, set out in the foregoing Message from the House, was adopted by the Senate.

RESOLUTION

Mr. Mize offered the following Senate Joint Resolution, to-wit:

S. J. R. 76. Be it resolved by the Senate, the House of Representatives concurring, that Senate Bills 138, 139, and 140 be known as the Mize, Hardwick, Patton and McGowin bills.

And on motion of Mr. Mize, the rules were suspended and the above resolution adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 995. To propose an amendment to the Constitution of Alabama providing for levying and collecting in the school tax district of the City of Huntsville in Madison County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes, and providing for the issuance of bonds to be retired with the funds arising from such tax; ordering an election upon the proposed amendment to be held on the date of the first special or general election held following the expiration of three months after the final adjournment of the present session of the Legislature.

was taken up.

Mr. Lowe offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR H. B. 995

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama providing for levying and collecting in the school tax district of the City of Huntsville in Madison County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes, and providing for the issuance of bonds to be retired with the funds arising from such tax; ordering an election upon the proposed amendment to be held on the date of the first special or general election held following the expiration of three months after the final adjournment of the present session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

Amendment

“(A) In addition to any taxes now authorized, or that may be hereafter authorized, by the Constitution and laws of Alabama, there is hereby levied a special school tax of fifty cents on each one hundred dollars worth of taxable property in the school tax district of the City of Huntsville in Madison County to be used solely for public school purposes; provided such tax and the time it is to continue shall have been first submitted to the vote of the qualified electors of the said school tax district in which such tax is to be collected and voted for by a majority of those voting at

such election; otherwise said tax shall not be collected. A special separate election is hereby called on the first Tuesday after sixty days following the date this Amendment becomes effective in the school tax district of the City of Huntsville in Madison County, at which election the qualified voters in the said school tax district of Madison County may vote as to whether said special school tax here levied shall be effective; and if the majority of those voting at said election vote in favor of said special school tax such school tax shall immediately be levied and collected annually thereafter on the first day of October by the Tax Collector of Madison County and paid to the City of Huntsville. The proceeds of the tax are hereby pledged solely to the payment of the principal and interest of the bonds hereinafter provided for. This section shall be self-executing.

“(B) After said tax has been voted, and without further authorization the City of Huntsville shall issue and sell interest bearing bonds with principal and interest to be paid from the proceeds of the tax herein levied. The proceeds of the sale of the bonds shall be used for the sole purpose of constructing and improving school buildings and acquiring sites therefor; provided, the net proceeds of the bonds shall be paid immediately to the Board of Education of the City of Huntsville. The principal amount of the bonds shall in no event exceed the sum of five hundred seventy-five thousand dollars (\$575,000). All bonds issued hereunder shall be payable in annual installments, the first of which shall be payable not more than two years after the date of the bonds, and the last within the period of usefulness of the improvements for which the bonds are issued. Such bonds shall be callable at any time upon the payment of the principal amount thereof plus a premium equal to one year's interest thereon. The bonds shall not be a general obligation of the City of Huntsville or of Madison County and shall not be charged to the constitutional debt limit of the City of Huntsville or Madison County.

“(C) If sufficient revenue has been produced by the tax levied in paragraph (A) of this Amendment to pay the principal amount of the bonds issued hereunder with interest thereon prior to the expiration of the period for which the tax was levied, the tax shall immediately cease and shall no longer be collected or enforced, and the bonds shall be redeemed forthwith.

“(D) Except as herein otherwise provided the election hereinabove provided for shall be called, held and conducted as provided by law for calling, holding and conducting of district school tax elections. The governing body of the City of Huntsville shall appoint and designate the officers, managers, clerks and returning officers and shall call, canvass, tabulate, and declare the result of the election provided for in the City of Huntsville. The election shall otherwise be conducted, held, canvassed, tabulated and the results declared as general elections are conducted, held, canvassed, tabulated and the results declared in Alabama.”

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Gaither	Kimbrell	Patton	
Allen	Glover	Lamberth	Perry	
Barrett	Gulledge	Langan	Quarles	
Boutwell	Harvey	Lowe	Russell	
Burnside	Henderson	Mize	Summerlin	
Clayton	Howle	Owens	Swift	
Coleman	Hughes	Patterson	Wright	
Fite	Kendall			—29

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length as required by the Constitution and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Glover	Kimbrell	Patton	
Barrett	Golson	Lamberth	Perry	
Boutwell	Gulledge	Langan	Quarles	
Burnside	Harvey	Lowe	Russell	
Clayton	Howle	Mize	Summerlin	
Coleman	Hughes	Owens	Swift	
Fite	Kendall	Patterson	Wright	
Gaither				—28

Nays:

—0

The Bill:

H. 474. To apply only in counties having a population of 400,000 or more according to the last or any succeeding Federal Census; to provide for the seizure and forfeiture of any automobile or other vehicle which is knowingly used for the transportation

of gaming devices, lottery slips, tickets or equipment and other lottery or gaming machinery or paraphernalia or papers.

was taken up.

Mr. Boutwell offered the following amendment to the bill, to-wit:

AMENDMENT TO H. B. 474

H. B. 474 is hereby amended in the following respects:

Add Section 3-A, at the end of Section 3, to read as follows:

"Any bailor or conditional vendor or chattel mortgagee who shall, prior to bailing, selling, or accepting a mortgage upon any such automobile or other vehicle, make inquiry of the sheriff or Federal Bureau of Investigation or any recognized and licensed agency which makes a systematic check of court records of the convictions for violations of the law and furnishes credit reports and in answer to such inquiry shall be informed in writing that the prospective bailee, conditional vendor or mortgagee has no reputation as a person who has been engaged in operating or connected with lotteries, gambling or gaming, and that such person has not, according to their records, been convicted of a violation of any of the laws of the United States or any State or any municipal ordinance relating to gaming, gambling or lotteries shall be presumed to be entitled to any such automobile or to be protected to the extent of his interest therein and shall effectively rebut any prima facie case provided in Section 2 of this Act."

At the end of Section 5 of H. B. 474 add the following:

"Without limiting the generality of the foregoing sentence, Section 248 and 249 of Title 29 of the Alabama Code of 1940 shall apply. If any provision of this Act shall be held invalid, the rest shall nevertheless stand."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Clayton	Howle	Mize
Allen	Coleman	Hughes	Patterson
Barrett	Glover	Kendall	Patton
Boutwell	Gulledge	Kimbrell	Perry
Bridges	Hardwick	Langan	Quarles
Burnside	Harvey	Lowe	Swift
Cater			

—24

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Clayton	Howle	Patterson
Allen	Coleman	Kendall	Perry
Barrett	Gaither	Kimbrell	Quarles
Boutwell	Glover	Langan	Russell
Bridges	Gulledge	Lowe	Summerlin
Burnside	Hardwick	Mize	Swift
Cater	Harvey	Owens	Wright

—27

Nays:

—0

The Bill:

H. 1020. To provide for and require the reidentification of each qualified elector in all counties in the State having a population of 400,000 or more according to the last or any subsequent Federal Census and to require the Board of Registrars in any such county to take the necessary action to purge the lists of the qualified electors in any such county and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a wilfully false statement in connection with his reidentification shall be guilty of perjury.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the bill, to-wit:

Amend H. B. 1020 by striking from line five of Section 5, the word "not".

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Patton
Allen	Fite	Hughes	Quarles
Barrett	Glover	Lamberth	Russell
Boutwell	Golson	Lowe	Swift
Cater	Hardwick	Mize	Wright
Clayton	Harvey		

—21

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Coleman	Golson
Allen	Cater	Fite	Hardwick
Barrett	Clayton	Glover	Harvey

Hooton
Hughes
Lamberth

Lowe
Mize
Patton

Quarles
Russell

Swift
Wright

—21

Nays:

—0

The Bill:

S. 637. To amend Sections 4 and 8 of an Act entitled "To establish an inferior court in Blount County, Alabama, with concurrent jurisdiction of Justice of the Peace Courts in said County and to define the jurisdiction and powers of said Court and the Judge thereof; to provide for the execution of processes of said Court and the operation thereof, to provide for the effect of recorded judgments of said Court, to provide for the appointment, election and term of office, qualifications and compensations of the judge thereof, and to provide the place and times of the holding of such Court," approved July 17, 1931.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell
Burnside
Cater
Coleman

Gaither
Golson
Hardwick
Harvey
Henderson
Hughes

Kendall
Lamberth
Lowe
Patterson
Patton

Perry
Quarles
Russell
Summerlin
Wright

—21

Nays:

—0

The Bill:

S. 642. To abolish the Commissioners Court of Blount County, Alabama, and to establish in lieu thereof the Board of Revenue of Blount County, Alabama; to provide that said Board of Revenue shall consist of a chairman and four other members; to designate and name the first members of said Board and to provide for election of their successors; to fix the terms of office of the members of said Board; to prescribe the qualifications of the members of said Board; to divide the county into four districts; to prescribe and fix the terms and sessions of said Board and quorum thereof; to prescribe, fix and limit the powers, jurisdiction, duties and authority of said Board; to provide that all general laws which may hereafter be enacted affecting county governing bodies shall apply to said Board; to provide for and fix the compensation of the members of said Board; to provide for the filling of any vacancies that may occur on said Board.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Kendall	Perry	
Allen	Golson	Lamberth	Quarles	
Boutwell	Hardwick	Lowe	Russell	
Burnside	Harvey	Patterson	Summerlin	
Cater	Henderson	Patton	Wright	
Coleman	Hughes			—21

Nays: —0

The Bill:

H. 1056. To extend and enlarge the boundaries of the corporate limits of the City of Cullman, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Patton	
Allen	Golson	Kendall	Perry	
Boutwell	Gulledge	Lowe	Russell	
Bridges	Hardwick	Mize	Swift	
Cater	Harvey	Patterson	Wright	
Clayton	Henderson			—21

Nays: —0

The Bill:

H. 1050. For relief of E. L. Moore and to appropriate \$100.00 out of the Road Fund of Talladega County for the payment to the said E. L. Moore for damages occurring to property belonging to him during the year 1948.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Lamberth	Quarles	
Boutwell	Gaither	Langan	Russell	
Bridges	Golson	Patterson	Summerlin	
Burnside	Gulledge	Patton	Swift	
Clayton	Hooton	Perry	Wright	
Coleman	Howle			—21

Nays: —0

The Bill:

H. 1060. To amend Act No. 438, H. 856, approved September 25, 1947, (Local Acts of Alabama, 1947, page 296) entitled "An Act To authorize the City of Florence, Alabama, to establish a City

Employees Retirement Fund and to provide for such fund and its sources, management, and administration; to provide for a board of trustees for such fund and their duties, power, and authority; to provide for the retirement and for reinstatement of active or retired members of such departments and payment of benefits provided for; to provide for payment of said trustees; to provide for appeals from rulings of the Board of Trustees."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Howle	Patton	
Barrett	Gaither	Kendall	Perry	
Boutwell	Golson	Kimbrell	Quarles	
Bridges	Hardwick	Langan	Russell	
Burnside	Henderson	Lowe	Wright	
Cater	Hooton			—21

Nays: —0

The Bill:

H. 1012. To amend Section 3 and repeal Section 4 of an act entitled "An Act to provide for dividing Butler County into four commissioner districts; to provide for the election of a commissioner for each of such districts; to provide for the tenure of office of such commissioners and to provide the compensation of the commissioners so elected," approved June 23, 1945.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Quarles	
Allen	Glover	Kimbrell	Russell	
Barrett	Golson	Lamberth	Summerlin	
Burnside	Gulledge	Langan	Swift	
Cater	Hardwick	Lowe	Wright	
Coleman	Harvey			—21

Nays: —0

The Bill:

H. 1013. To alter and extend the boundaries of the City of Greenville: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Greenville for their approval or rejection of such alterations and extension.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hardwick	Lamberth	Patton	
Allen	Harvey	Lowe	Perry	
Burnside	Henderson	Mize	Quarles	
Cater	Hooton	Owens	Russell	
Clayton	Hughes	Patterson	Wright	
Coleman	Kendall			—21

Nays: —0

The Bill:

H. 1010. To propose an amendment to the Constitution of Alabama relative to a special school district, school district taxes, and the construction of a school building in Lawrence County.

Was read a third time at length as required by the Constitution and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patterson	
Allen	Gaither	Kendall	Patton	
Barrett	Glover	Kimbrell	Perry	
Boutwell	Gulledge	Lamberth	Quarles	
Burnside	Hardwick	Langan	Russell	
Cater	Harvey	Lowe	Summerlin	
Clayton	Henderson	Mize	Wright	
Coleman	Howle	Owens		—30

Nays: —0

The Bill:

H. 1041. To amend an Act entitled "An Act to abolish the Court of County Commissioners of Covington County, and to create a Court of Record to be called "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their term of office; to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each

such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond payable to the county, for the performance of their duties; to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Kendall	Quarles
Barrett	Glover	Kimbrell	Russell
Boutwell	Gulledge	Mize	Summerlin
Burnside	Hardwick	Owens	Swift
Cater	Henderson	Perry	Wright
Fite	Hughes		

—21

Nays:

—0

The Bill:

H. 1042. To require the Board of Revenue of Lawrence County, Alabama, or other like governing board of said county, to pay for the publication of the notice of each and every local bill heretofore advertised for the present session of the Legislature of Alabama, or which may hereafter be advertised for the present session or any subsequent session of the Legislature of Alabama, for or which applies alone to the County of Lawrence, and out of any money in the treasury of said county not otherwise appropriated; provided the notice so published is signed by the Representative of said county or by the State Senator from the Second Senatorial District.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Kimbrell	Perry	
Barrett	Glover	Lamberth	Quarles	
Boutwell	Golson	Lowe	Russell	
Burnside	Gulledge	Patterson	Summerlin	
Cater	Harvey	Patton	Wright	
Clayton	Hughes			—21

Nays: —0

The Bill:

H. 1043. To authorize the Tax Collector of Marengo County to employ, at public expense, a clerk or assistant to aid him in the performance of his official duties; to fix the compensation to be paid to such clerk or assistant; and to provide for the payment of the same out of the general fund of Marengo County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Howle	Perry	
Allen	Gaither	Hughes	Russell	
Barrett	Golson	Kimbrell	Summerlin	
Bridges	Gulledge	Langan	Swift	
Burnside	Henderson	Patton	Wright	
Cater	Hooton			—21

Nays: —0

The Bill:

H. 1048. Relating to Blount County: To amend Section 1 of Act No. 183, H. 363, approved March 1, 1937 (Local Acts of Alabama, Extra Session 1936-37, page 71) entitled "An Act To allow the Register in Chancery of the Circuit Court of Blount County, Alabama, a clerk; to provide for the appointment and tenure of office of said clerk to fix the salary of said clerk and to make the same payable out of the general funds of Blount County in monthly installments."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hughes	Patton	
Allen	Fite	Kendall	Quarles	
Barrett	Gaither	Mize	Russell	
Boutwell	Hardwick	Owens	Swift	
Bridges	Harvey	Patterson	Wright	
Burnside	Henderson			—21

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Meeks and Beatty:

H. 761. To provide for and to authorize the business of clearing roots and other foreign obstructions from sewer lines in cities and municipalities by means of electric cutting machines, provided entrance is made at established cleanout caps or plugs only, and without otherwise affecting the established sewer lines or fixtures.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 761. To the Committee on Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. McGowin:

H. 786. To provide for arrest fees for violations of the provisions of the forestry laws. To provide how said fees shall be taxed and collected. To provide for the disposition of the fees. To provide an informer's fee and for other purposes.

Also:

By Mr. Sellers:

H. 676. To provide for County and State Fishing Licenses for persons using a rod and reel and artificial bait. To provide for the cost of said licenses. To provide for the disposition of the revenue derived from such licenses. To provide how the licenses shall be issued and who shall issue same. To provide a penalty for the violation of this Act. To repeal all laws in conflict herewith. To repeal Sections 38 and 41 of Title 8 of the Code of Alabama of 1940. To provide when this Act shall become effective.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 786. To the Committee on Forestry and Conservation.

H. B. 676. To the Committee on Fish and Game.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Thompson (Crenshaw):

H. 1059. To amend Section 124, Title 51, Code of Alabama 1940, providing for salaries of the legal counsel and the assistant counsel of the Department of Revenue.

By Messrs. Pinkston and Ingalls:

H. 826. To amend Section 17, Title 17, of the Code of Alabama for 1940.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 1059. To the Committee on Finance and Taxation.

H. B. 826. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Ramey:

H. 860. To amend Section 68 of Title 52 of the Code of Alabama (1940), which relates to the compensation of the members of county boards of education.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 860. To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Nelson:

H. 911. For the relief of Henry Boyd. Whereas, Henry Boyd, while in the course of his employment by the State Highway Department as a convict guard at a road camp was injured in an accident in the vicinity of Heflin in Cleburne County in 1942, his leg being fractured in the knee joint, and as a result thereof he is permanently crippled, therefore

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 911. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

By Messrs. Adams (Jefferson), Meeks, Beatty, Gibson and Sadler:

H. B. 1023. To amend Chapter 9, Title 15 of the Code of Alabama of 1940 relating to Bail, as amended by Act No. 199 July 8, 1949, by defining the power and authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or Bail Bonds, by the failure of the defendant to appear as required, in all counties in this State having a population of seventy-two thousand (72,000) inhabitants, or more, according to the last or any subsequent Federal census; and to authorize the courts in such counties to remit, in whole or in part, the penalty of such Bail Bonds as the ends of Justice may, unto the court, appear to require.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 486. To propose an amendment to the Constitution of Alabama 1901, to authorize the several school districts of Cherokee County, Alabama, to levy and collect a special district tax of fifty cents on each one hundred dollars worth of taxable property in such districts for public school purposes, and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the legislature.

Also:

H. 974. To repeal Subdivision 1 and Subdivision 2 of Article 17 of Title 62 of the Code of Alabama of 1940.

Also:

H. 1028. To change the designation of the office of the License Inspector to the Department of Revenue and to change the designation of the License Inspector to Director of Revenue, in all counties having a population of 400,000 or more according to the last or any succeeding Federal census, to provide for the appointment, tenure, powers and duties of the Director of Revenue, and to grant power to said Department to require information to be furnished and to require the production for inspection of books, records, and papers.

Also:

H. 1029. To increase and fix the salary of the Clerk of the Circuit Court of Jefferson County, Tenth Judicial Circuit of Alabama.

Also:

H. 1030. To increase the compensation of the Judge of the Jefferson County Court of Misdemeanors.

Also:

H. 1032. To amend Title 13, Section 199 of the 1940 Code of Alabama.

Also:

H. J. R. 143. Relative to House Bill No. 351 being designated as the Lovelace, Head, Morring, Vann, Patterson, Kendall, Malone, Inzer, Adams, Summerlin, Garrett, Merrill and Cox Bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, and House Joint Resolution, the titles of which are set out in the foregoing message from the House.

RESOLUTIONS

Mr. Kendall offered the following Senate Joint Resolution, to-wit:

SENATE JOINT RESOLUTION NO. 77

Be It Resolved by the Senate, the House concurring that S. B. 552 be known as the Kendall, Lamberth, Hardwick, Burnside, Beck, Merrill, Hankins and Wallace Bill.

And on motion of Mr. Kendall, the rules were suspended and the resolution adopted by the Senate.

Mr. Gullledge offered the following Senate Joint Resolution, to-wit:

SENATE JOINT RESOLUTION NO. 78

S. J. R. 78. Relating to lists of bills introduced in the Legislature.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. The Secretary of the Senate and the Clerk of the House shall cause to be prepared for their respective houses a complete list

by titles of all bills as introduced, together with an abstract, digest, or synopsis of each bill of which the caption or title is insufficient to indicate clearly its contents. The name of the standing committee to which each bill was referred shall be shown on such list, and a copy of each such list shall be posted each legislative day in the Senate Chamber and in the hall of the House of Representatives and a copy shall be made available, upon request, without charge, to each member of the Legislature, each State department head, and each member of the press.

2. All necessary and reasonable expenses incurred by the Secretary of the Senate and the Clerk of the House in carrying out the provisions of this resolution shall be paid from funds appropriated for the payment of legislative expenses.

Which was read and referred to the Standing Committee on Rules.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Hardwick, further consideration of the bills, H. B.'s 951 and 988, was indefinitely postponed by the Senate.

On motion of Mr. Patterson, further consideration of the bill, S. B. 590, was indefinitely postponed by the Senate.

On motion of Mr. Henderson, further consideration of the bill, S. B. 614, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 604. To authorize and create an additional Judge of the Eleventh Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, to provide for the designation of each of the two offices of Circuit Judge of said Circuit by number and to provide for the salary of said Judges.

Mr. Swift appealed from ruling of Chair as to H. B. 604 being general bill with local application and the ruling of the Chair was sustained.

Yeas 18; Nays 11.

Yeas:

Messrs.:
Barrett
Bridges
Burnside
Cater

Coleman
Fite
Gulledge
Howle
Kendall

Kimbrell
Lamberth
Langan
Lowe
Mize

Patterson
Patton
Perry
Russell

Nays:

Messrs.:	Clayton	Golson	Quarles
Allen	Gaither	Henderson	Swift
Boutwell	Glover	Hughes	Wright

—11

And said bill was then read a third time at length and passed.

Yeas 15; Nays 10.

Yeas:

Messrs.:	Clayton	Howle	Patterson
Barrett	Fite	Kimbrell	Patton
Bridges	Gulledge	Lamberth	Perry
Cater	Harvey	Mize	Quarles

—15

Nays:

Messrs.:	Gaither	Hughes	Swift
Allen	Golson	Russell	Wright
Coleman	Henderson	Summerlin	

—10

The Bill:

H. 1064. Authorizing the governing body of any county having a population of not less than 32,000 and not more than 42,000 inhabitants and two courthouses to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Langan	Quarles
Allen	Glover	Lowe	Russell
Bridges	Golson	Mize	Summerlin
Cater	Gulledge	Patterson	Swift
Clayton	Howle	Patton	Wright
Coleman	Hughes		

—21

Nays: —0

The Bill:

H. 1063. To amend Section 81 of Title 51 of the Code of Alabama (1940), which relates to the valuation of real property assessed for taxes in counties having a population of 200,000 or more.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Coleman	Golson
Allen	Bridges	Fite	Gulledge
Barrett	Burnside	Gaither	Hardwick

Harvey	Kimbrell	Patton	Swift	
Hooton	Lamberth	Summerlin	Wright	
Howle	Mize			—21

Nays: —0

The Bill:

H. 964. To amend Section 342 of Title 37 of the Code of Alabama (1940) which relates to the powers of municipalities in regard to the acquisition of public improvements, as amended by Act No. 66, General Acts of Alabama, approved June 14, 1949.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patterson	
Allen	Gaither	Kendall	Perry	
Barrett	Gulledge	Lamberth	Quarles	
Boutwell	Hardwick	Langan	Russell	
Bridges	Harvey	Lowe	Summerlin	
Burnside	Henderson	Mize	Swift	
Cater	Howle	Owens		—26

Nays: —0

The Bill:

S. 632. Relating to Fayette County: To impose extra, new, and additional duties upon the members of the county governing body of Fayette County; to provide additional compensation for the performance of such duties; and to designate the funds from which the compensation of members of such governing body shall be paid.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Langan	Perry	
Burnside	Henderson	Lowe	Quarles	
Cater	Hooton	Owens	Russell	
Clayton	Hughes	Patterson	Swift	
Coleman	Kimbrell	Patton	Wright	
Glover	Lamberth			—21

Nays: —0

The Bill:

S. 633. To authorize and empower the Tax Assessor of Fayette County, Alabama to appoint a Clerk; to authorize and empower the Tax Collector of Fayette County, Alabama, to appoint a clerk;

to fix the salary of both said Clerks, and to provide for the method of payment of salary of each of said Clerks.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hughes	Lowe	
Allen	Clayton	Kendall	Mize	
Barrett	Coleman	Kimbrell	Patterson	
Boutwell	Fite	Lamberth	Patton	
Bridges	Gaither	Langan	Perry	
Burnside	Glover			—21

Nays:

—0

The Bill:

S. 634. To amend Section 561 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Mize	
Bridges	Gaither	Kimbrell	Russell	
Burnside	Glover	Lamberth	Summerlin	
Cater	Harvey	Langan	Swift	
Clayton	Howle	Lowe	Wright	
Coleman	Hughes			—21

Nays:

—0

The Bill:

S. 635. To alter, rearrange and extend the boundary lines and corporate limits of the City of Montgomery, in Montgomery County, Alabama; and to prescribe the time when this Act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Lamberth	Perry	
Bridges	Gaither	Langan	Quarles	
Burnside	Harvey	Mize	Russell	
Cater	Henderson	Owens	Swift	
Clayton	Hughes	Patton	Wright	
Coleman	Kendall			—21

Nays:

—0

The Bill:

S. 636. To amend Section 565 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kimbrell	Perry	
Bridges	Gaither	Langan	Quarles	
Burnside	Glover	Mize	Russell	
Cater	Golson	Patterson	Summerlin	
Clayton	Henderson	Patton	Wright	
Coleman	Hughes			—21

Nays:

—0

The Bill:

S. 639. To amend Act Number 162, H. B. 152 approved August 21, 1923 (Local Acts of Alabama, 1923 pp. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary, and to provide for the election of the County Treasurer of Chilton County, Alabama by the qualified voters of said County."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Harvey	Mize	Quarles	
Clayton	Henderson	Owens	Russell	
Coleman	Kendall	Patterson	Summerlin	
Golson	Kimbrell	Patton	Swift	
Gulledge	Lamberth	Perry	Wright	
Hardwick	Lowe			—21

Nays:

—0

The Bill:

S. 640. For the relief of C. O. Lawrence, M. D., and to authorize, empower and direct the Court of County Commissioners of Chilton County, Alabama, and the Treasurer of Chilton County, Alabama, to pay to the said C. O. Lawrence, M. D., the sum of \$57.00 out of the general fund of the Treasury of said County, not otherwise appropriated, in order to reimburse the said C. O. Lawrence, M. D., for medical services and other services rendered by him on account of the injuries to the said Bertha Martin, caused by the caterpillar patrol owned and operated by Chilton County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kimbrell	Owens	
Allen	Gaither	Lamberth	Russell	
Barrett	Gulledge	Langan	Summerlin	
Boutwell	Hardwick	Lowe	Swift	
Cater	Hughes	Mize	Wright	
Coleman	Kendall			—21

Nays:

—0

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to further consideration of

The Bill:

H. 52. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, and for the interest on the public debt, and for the public schools and pending substitutes.

The question recurred on the motion of Mr. Hardwick to lay on the table the substitute offered by Mr. Lowe for the substitute for the bill, H. B. 52, and the motion to table prevailed.

And the substitute offered by Mr. Hardwick, for the bill, H. B. 52, which substitute is set out in the Journal of the Senate for the Thirty-second Legislative Day, was then adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patterson	
Allen	Gaither	Kendall	Patton	
Barrett	Glover	Kimbrell	Perry	
Boutwell	Golson	Lamberth	Quarles	
Bridges	Gulledge	Langan	Russell	
Burnside	Hardwick	Lowe	Summerlin	
Cater	Harvey	Mize	Swift	
Clayton	Henderson	Owens	Wright	
Coleman	Howle			—33

Nays:

—0

Mr. Patterson offered the following amendment to the bill, as amended, to-wit:

Amendment to H. B. 52, as amended:

Amend Item 11 of Subsection VIII of Section 1 of H. B. 52, as amended, which relates to the Board of Pardons and Paroles, by

striking therefrom the figures "117,000.00" and inserting in lieu thereof the figures "143,000.00"; by striking the figures "27,000.00" and inserting in lieu thereof the figures "32,000.00"; and by striking the figures "159,000.00" and inserting in lieu thereof the figures "190,000.00."

Mr. Swift moved to lay said amendment on the table, and the motion to table was lost.

Yeas 7; Nays 26.

Yeas:

Messrs.:	Hughes	Patton	Summerlin	
Golson	Langan	Quarles	Swift	—7

Nays:

Messrs.:	Clayton	Henderson	Mize	
Allen	Coleman	Hooton	Owens	
Barrett	Fite	Howle	Patterson	
Boutwell	Gaither	Kendall	Perry	
Bridges	Glover	Kimbrell	Russell	
Burnside	Hardwick	Lamberth	Wright	—26
Cater	Harvey	Lowe		

And said amendment was then adopted.

Yeas 29; Nays 5.

Yeas:

Messrs.:	Coleman	Hooton	Mize	
Allen	Fite	Howle	Owens	
Barrett	Gaither	Kendall	Patterson	
Boutwell	Glover	Kimbrell	Patton	
Bridges	Gulledge	Lamberth	Perry	
Burnside	Hardwick	Langan	Russell	
Cater	Harvey	Lowe	Wright	—29
Clayton	Henderson			

Nays:

Messrs.:	Hughes	Summerlin	Swift	
Golson	Quarles			—5

Mr. Mize offered the following amendment to the bill, as amended, to-wit:

Amendment to House Bill 52, as amended:

Amend Subdivision (5) of Subsection VII of Section 1 of House Bill 52, as amended, which relates to the appropriation to Alabama Insane Hospitals, by striking therefrom the figure "\$9.00" and inserting in lieu thereof the figure "\$10.00."

And on motion of Mr. Allen said amendment was laid on the table.

Yeas 24; Nays 10.

Yeas:

Messrs.:	Gaither	Henderson	Patterson
Allen	Glover	Howle	Patton
Boutwell	Golson	Kendall	Quarles
Burnside	Gulledge	Langan	Russell
Cater	Hardwick	Lowe	Swift
Clayton	Harvey	Owens	Wright
Coleman			

—24

Nays:

Messrs.:	Fite	Kimbrell	Perry
Barrett	Hooton	Lamberth	Summerlin
Bridges	Hughes	Mize	

—10

Mr. Mize also offered the following amendment to the bill, as amended, to-wit:

Amendment to House Bill 52, as amended:

Amend Subdivision (6) of Subsection VII of Section 1 of House Bill 52, as amended, which relates to the appropriation to Partlow State School for Mental Deficients, by striking therefrom the figure "\$9.00" and inserting in lieu thereof the figure "\$10.00."

And on motion of Mr. Allen said amendment was laid on the table.

Yeas 22; Nays 12.

Yeas:

Messrs.:	Coleman	Harvey	Patterson
Allen	Gaither	Henderson	Patton
Boutwell	Glover	Kendall	Quarles
Burnside	Golson	Langan	Russell
Cater	Gulledge	Lowe	Wright
Clayton	Hardwick	Owens	

—22

Nays:

Messrs.:	Hooton	Kimbrell	Perry
Barrett	Howle	Lamberth	Summerlin
Bridges	Hughes	Mize	Swift
Fite			

—12

Mr. Swift offered the following amendment to the bill, as amended, to-wit:

I move to strike items 2, 3, and 4 from Section IX of H. B. 52, as amended.

And on motion of Mr. Harvey, said amendment was laid on the table.

Yeas 28; Nays 6.

Yeas:

Messrs.:	Coleman	Howle	Owens
Allen	Fite	Kendall	Patterson
Barrett	Gaither	Kimbrell	Patton
Boutwell	Gulledge	Lamberth	Perry
Bridges	Hardwick	Langan	Quarles
Burnside	Harvey	Lowe	Russell
Cater	Henderson	Mize	Wright
Clayton			

—28

Nays:

Messrs.:	Golson	Hughes	Swift
Glover	Hooton	Summerlin	

—6

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright
Coleman	Hooton	Owens	

—34

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 1020. To provide for and require the reidentification of each qualified elector in all counties in the State having a population of 400,000 or more according to the last or any subsequent Federal Census, and to require the Board of Registrars in any such county to take the necessary action to purge the lists of the qualified electors in any such county and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a wilfully false statement in connection with his reidentification shall be guilty of perjury.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 474. To apply only in counties having a population of 400,000 or more according to the last or any succeeding Federal Census; To provide for the seizure and forfeiture of any automobile or other vehicle which is knowingly used for the transportation of gaming devices, lottery slips,

tickets or equipment and other lottery or gaming machinery or paraphernalia or papers.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL 501

We, the undersigned members of the Conference Committee appointed by the Senate and House of Representatives to reconcile the differences existing between the two Houses on Senate Bill No. 501, do hereby recommend as follows:

(1) That the House of Representatives recede from the amendment passed by the House to said Senate Bill No. 501, and that the bill now be passed as passed by the Senate.

NOBLE J. RUSSELL,
Conferee on the part of the
Senate.

NORMAN W. HARRIS,
Conferee on the part of the
House.

CONFERENCE REPORT

On motion of Mr. Russell, the Senate concurred in and adopted the foregoing Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 501. To amend sections 1 and 4 of an act approved May 28, 1943 providing for the placing of the Judge of Probate of Morgan County, Alabama on a salary, being Act No. 70 of the regular session of the Legislature of 1943.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hardwick	Lowe	
Allen	Clayton	Howle	Patterson	
Barrett	Coleman	Hughes	Quarles	
Boutwell	Fite	Kendall	Russell	
Bridges	Gaither	Kimbrell	Summerlin	
Burnside	Glover			—21

Nays:

—0

And said bill, as thus amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Fite	Gulledge
Allen	Clayton	Gaither	Howle
Barrett	Coleman	Golson	Kendall

Lamberth
Owens
Patterson

Patton
Perry
Quarles

Russell
Summerlin

Swift
Wright

—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Haynes (Franklin):

H. J. R. 147. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING that House Bill 604 shall be known as the Haynes (Franklin), Coburn, Barnett, Rogers, Fite and Patton Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The rules were suspended and the resolution, H. J. R. 147, set out in the foregoing Message from the House, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1017. To amend Act No. 668, H. B. 760, approved October 8, 1947 (General Acts of 1947, pp. 509-511) entitled "An Act To provide for the registration of voters and purging registration lists in counties having a population of 300,000 or more according to the last or any subsequent federal census; and to provide for the compensation of the chairman and members of the Board of Registrars in such counties; and to provide for employment of clerical or secretarial employees under the provisions of the county Merit System Act."

Also:

H. 1018. For the relief of Mrs. Ethel Mae Dorrity, in the sum of One Thousand and No/100 (\$1,000) Dollars in that on, to-wit, October 21, 1947, a duly authorized agent, servant or employee of Jefferson County, Alabama, Mr. Joe Pickens, negligently drove an automobile into an automobile in which the said Mrs. Ethel Mae Dorrity was riding as a passenger, and permanently and painfully injuring her, at the intersection of 66th Street and Division Avenue in Birmingham, Jefferson County, Alabama.

Also:

H. 1019. To further amend local Act No. 334 of the 1945 regular session of the Legislature of Alabama (Local Acts 1945 page 144, et sequitur) as heretofore amended.

Also:

H. 1022. For the relief of Mrs. Emma V. Eley, in the sum of Twelve Hundred and No/100 (\$1200) Dollars in that on, to-wit, October 21, 1947, a duly authorized agent, servant or employee of Jefferson County, Alabama, Mr. Joe Pickens, negligently drove an automobile into an automobile, the property of Mrs. Emma V. Eley in which Mrs. Emma V. Eley

was riding and which she was operating at said time at the intersection of 66th Street and Division Avenue in Birmingham, Jefferson County, Alabama, said sum covering actual damages to the automobile of Mrs. Emma V. Eley and to her person in that she was permanently and painfully injured by the authorized agent, servant or employee of Jefferson County, Alabama, for repairs to said automobile and for hospital bills, medical expenses in and about her treatment.

Also:

H. 1024. To propose an amendment to the Constitution of Alabama which will authorize the levy and collection of an additional tax for public school purposes in Jefferson County.

Also:

H. 1027. To amend Section 2 of an act entitled "An act to further define and extend the powers, authority and duties of the Circuit Solicitor of the tenth judicial Circuit; To require the Circuit Solicitor of the tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried in the Juvenile and Domestic Relations Court of Jefferson County; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Juvenile and Domestic Relations Court of Jefferson County; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act." House Bill 507, Approved, September 30, 1947.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 77. Relating to the naming of S. B. 552.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 76. Relative to the naming of Senate Bills 138, 139 and 140.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 977. To apply in all counties of this State having a population of not less than 140,000 according to the last or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to provide for the appointment of the members of said Plumbers Examining Board and their term of office; to provide for the payment of compensation to the members of said Board and the employees thereof, and to provide for the payment of expenses incurred by the members of said Board and its employees; to define the powers conferred upon and duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and certificate fees; to empower the said Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this Act.

And requests a Committee of Conference, and the Speaker of the House has named as the Committee of Conference on the part of the House:

Messrs. Dumas, Sullivan, Adams (Jefferson), Kaul and Johnston.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. B. 977, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Boutwell, Cater, Langan, Glover and Mize.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Gibson:

H. J. R. 146. Be it resolved by the House, the Senate Concurring, that H. B. 451 be named the Gibson-Patton bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The rules were suspended and the resolution, H. J. R. 146, set out in the foregoing Message from the House was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 896. For the relief of J. A. Watwood.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Coleman	Harvey	Mize	
Barrett	Fite	Howle	Owens	
Boutwell	Gaither	Hughes	Patterson	
Bridges	Glover	Kendall	Patton	
Burnside	Golson	Kimbrell	Quarles	
Cater	Gulledge	Lamberth	Summerlin	
Clayton	Hardwick	Langan	Swift	
				—27

Nays:

—0

The Bill:

S. 631. To provide for the Redistricting of the Commissioner's Districts of Randolph County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hardwick	Lamberth	Quarles	
Allen	Henderson	Lowe	Russell	
Barrett	Hooton	Patterson	Summerlin	
Coleman	Howle	Patton	Swift	
Fite	Hughes	Perry	Wright	
Gaither	Kendall			—21

Nays:

—0

The Bill:

H. 770. To revise Chapter 1 of Title 36 of the Code of Alabama (1940), which relates to motor vehicles and more particularly to the rules of the road, by amending Sections 1, 16, 17, 19, 20, 26, 27, 38, 39, 40, 41, 42, 46, 48, 51, 52, 55, and 56, and repealing Sections 30, 43, and 57.

was taken up.

The Standing Committee on Public Roads and Highways reported the following amendment to the bill, to-wit:

Amend Section 21 of House Bill 770 to read as follows:

"Section 21. This Act shall take effect on the first day of January, 1950."

Which was adopted.

Yeas 33; Nay 1.

Yeas:

Messrs.:	Gaither	Hughes	Patterson
Allen	Glover	Kendall	Patton
Barrett	Golson	Kimbrell	Perry
Boutwell	Gulledge	Lamberth	Quarles
Bridges	Hardwick	Langan	Russell
Burnside	Harvey	Lowe	Summerlin
Cater	Henderson	Mize	Swift
Coleman	Hooton	Owens	Wright
Fite	Howle		

—33

Nay: Mr. Clayton —1

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Gaither	Hughes	Patterson
Allen	Glover	Kendall	Patton
Barrett	Golson	Kimbrell	Perry
Boutwell	Gulledge	Lamberth	Quarles
Bridges	Hardwick	Langan	Russell
Burnside	Harvey	Lowe	Summerlin
Cater	Henderson	Mize	Swift
Coleman	Hooton	Owens	Wright
Fite	Howle		

—33

Nays: —0

The Bill:

H. 769. To regulate further the use of the highways of the State by pedestrians and vehicles; prescribing equipment of certain vehicles and further prescribing rules and regulations governing traffic and the operation of vehicles on the highways; providing the method of enforcing this Act; and prescribing penalties for violations hereof.

was taken up.

The Standing Committee on Public Roads and Highways reported the following amendment to the bill, to-wit:

Amend Section 55 of House Bill 769 to read as follows:

"Section 55. This Act shall take effect on the first day of January, 1950."

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson	
Allen	Gaither	Hughes	Patton	
Barrett	Glover	Kendall	Perry	
Boutwell	Golson	Kimbrell	Quarles	
Bridges	Gulledge	Lamberth	Russell	
Burnside	Hardwick	Lowe	Summerlin	
Cater	Henderson	Mize	Swift	
Clayton	Hooton	Owens	Wright	
Coleman				—32

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson	
Allen	Gaither	Hughes	Patton	
Barrett	Glover	Kendall	Perry	
Boutwell	Golson	Kimbrell	Quarles	
Bridges	Gulledge	Lamberth	Russell	
Burnside	Hardwick	Lowe	Summerlin	
Clayton	Henderson	Mize	Swift	
Coleman	Hooton	Owens	Wright	
				—31

Nays: —0

The Bill:

H. 771. To revise Chapter 3 of Title 36 of the Code of Alabama (1940), which relates to motor vehicles and more particularly to the measurement of vehicles, loads on vehicles, certain equipment required of vehicles and regulations relative to the size and weight of vehicles, by amending Sections 78, 85, 87, and 88.

was taken up.

The Standing Committee on Public Roads and Highways reported the following amendment to the bill, to-wit:

Amend Section 5 of House Bill 771 to read as follows:

“Section 5. This Act shall take effect on the first day of January, 1950.”

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Kendall	Patton
Barrett	Golson	Kimbrell	Perry
Boutwell	Gulledge	Lamberth	Quarles
Bridges	Hardwick	Langan	Russell
Burnside	Harvey	Lowe	Summerlin
Cater	Henderson	Mize	Swift
Clayton	Hooton	Owens	Wright
Coleman			

—32

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright
Coleman	Hooton	Owens	

—34

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the House Amendment to the bill:

S. 501. To amend sections 1 and 4 of an act approved May 28, 1943 providing for the placing of the Judge of Probate of Morgan County, Alabama on a salary, being Act No. 70 of the regular session of the Legislature of 1943.

And said bill, as amended by the report of the Committee of Conference, was again read at length and passed.

And said bill, together with the report of the Committee of Conference, is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 52. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE GOVERNOR

To the Members of the Legislature
State of Alabama
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

August 23, 1949.

To the Members of the Legislature
State Capitol
Montgomery, Alabama

Gentlemen:

There remains three legislative days in the 1949 session of the Alabama legislature. That time is short; it is precious for the people of Alabama. The time for making new laws is fast coming to an end. The time for passing a general appropriation bill is now.

On the opening day of the present legislative session, I presented a program for the people of Alabama to this body. It was the same program on which the people of this state elected me Governor. It was a program for better roads, old age pensions, legislative reapportionment, a minimum \$1800 teachers' salary, revised election laws, as well as numerous other progressive measures.

To date, three road programs have been killed; no reapportionment bill has become law; the old folks have been given a cut in their proposed appropriation, instead of an increase; teachers have no certainty of a minimum \$1800 annual salary.

In the early days of this session I appeared before a joint session, when the temporary clerk hire fund was being considered—and at that time I asked that all punitive and spite bills be passed, so that you could get down to passing laws to provide for the peoples needs.

With each of these broad progressive parts of my program, I presented a way to finance the carrying out of each phase of that program. On July 14th I wrote to the House Ways and Means Committee, asking that 10 revenue bills, the ones which would partly support my program, be given immediate consideration in order for them to reach both Houses in ample time for action.

Again on July 15th I appeared before the House, and urged that serious consideration be given to a road bond program, as well as other parts of the program which I had presented to you in my message on the opening day.

It is quite clear now that a progressive program for the people of Alabama has been lost. The major part of the program I offered has been killed and none has been offered in its place.

In view of that fact, as Governor of the State of Alabama, I urge that both Houses get together while you still have time and provide an appropriation measure to run the state government on during the next two years. The people are entitled to that much. The people are looking to you to pass them a general appropriation bill which includes the needs of education.

My office is open to any and to all of you who are interested in finding an answer to this appropriation bill.

I will approve any bill that is sound, and is based upon fairness, impartiality, and actual needs. But I will not approve any bill which contains items that have already been settled by this legislature.

The time has come to forget partiality. The time has come when the people of Alabama are far more important than any measure, and pettiness. You are responsible to the people of Alabama. You are their servants, just as I am, and they are looking here to us today to provide for the needs of their government.

I trust they will not be disappointed. I trust that an appropriation bill will be passed.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and referred to the Standing Committee on Rules.

At 5:45 P. M. Mr. Patterson moved that the Senate take a recess until 7:45 P. M. tonight, which motion was lost.

Yeas 14; Nays 19.

Yeas:

Messrs.:	Cater	Mize	Summerlin	
Allen	Clayton	Patterson	Swift	
Boutwell	Coleman	Patton	Wright	
Burnside	Gulledge	Russell		—14

Nays:

Messrs.:	Glover	Hooton	Lamberth	
Barrett	Golson	Howle	Lowe	
Bridges	Hardwick	Hughes	Owens	
Fite	Harvey	Kendall	Perry	
Gaither	Henderson	Kimbrell	Quarles	—19

At 6:00 P. M., Mr. Hardwick moved that the Senate do now adjourn until Friday, August 26, 1949, at 9:00 A. M., which motion was lost.

Yeas 12; Nays 22.

Yeas:

Messrs.:	Gaither	Howle	Lamberth	
Barrett	Hardwick	Kendall	Langan	
Bridges	Harvey	Kimbrell	Russell	
Fite				—12

Nays:

Messrs.:	Coleman	Hughes	Perry	
Allen	Glover	Lowe	Quarles	
Boutwell	Golson	Mize	Summerlin	
Burnside	Gulledge	Owens	Swift	
Cater	Henderson	Patterson	Wright	
Clayton	Hooton	Patton		—22

APPOINTMENT OF COMMITTEE TO REVISE STANDING COMMITTEES OF SENATE AND SENATE RULES

In accordance with the provisions of S. R. 55, the President and Presiding Officer of the Senate appointed as Committee Messrs. Patton, Swift and Mize.

BILLS ON THIRD READING RESUMED

The Bill:

S. 113. To appropriate ten thousand (\$10,000.00) dollars to the Blue and Gray Association.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 19; Nays 14.

Yeas:

Messrs.:	Clayton	Henderson	Patton
Barrett	Coleman	Hooton	Quarles
Boutwell	Glover	Hughes	Russell
Burnside	Golson	Kendall	Swift
Cater	Gulledge	Patterson	Wright

—19

Nays:

Messrs.:	Gaither	Kimbrell	Mize
Allen	Hardwick	Lamberth	Perry
Bridges	Harvey	Langan	Summerlin
Fite	Howle	Lowe	

—14

The Bill:

H. 719. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one senator from each county; ordering an election upon the proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

was taken up.

Mr. Patton offered the following amendment to the bill, to-wit:

Amend House Bill 719 so that the constitutional amendment proposed in Section 1 thereof shall read as follows: "The Senate of Alabama shall be composed of one Senator from each county, who shall be elected by the qualified electors at the general election in 1950 and in every fourth year thereafter.

Mr. Fite moved to lay on the table the amendment offered by Mr. Patton, and the motion to table was lost.

Yeas 14; Nays 19.

Yeas:

Messrs.:	Gaither	Kendali	Owens	
Allen	Hardwick	Kimbrell	Russell	
Burnside	Harvey	Lamberth	Summerlin	
Fite	Howle	Langan		—14

Nays:

Messrs.:	Clayton	Hooton	Patton	
Barrett	Coleman	Hughes	Perry	
Boutwell	Glover	Lowe	Quarles	
Bridges	Golson	Mize	Swift	
Cater	Henderson	Patterson	Wright	—19

Mr. Langan offered the following substitute for the bill, and pending amendment, to-wit:

SUBSTITUTE FOR HOUSE BILL 719

A BILL TO BE ENTITLED AN ACT

To propose an amendment to the Constitution of Alabama, providing that the Senate of Alabama shall be composed of one senator from each county; providing for the reapportionment of the House of Representatives; ordering an election upon the proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor.

Amendment:

"The senate of Alabama shall be composed of one Senator from each County, who shall be elected by the qualified electors at the general election in 1950 and each fourth year thereafter."

"The House of Representatives of the State of Alabama shall be composed of one hundred six members, and the qualified electors of each county shall be entitled to elect at the general election in 1950 the same number of representatives as such county elected at the general election of 1946. That the Secretary of State of the State of Alabama, shall upon receipt of the official decennial census of 1950, and each decennial census thereafter divide the total population of the State by one hundred six. The quotient of this division shall be the number of persons represented by each member of the House of Representatives and shall be known as the representative ratio. The Secretary of State shall then

divide the population of each county by this said representative ratio and the quotient of such division shall be the number of representatives to which each county shall be entitled. When the total number of representatives so selected do not equal a total of one hundred and six the said Secretary of State shall add one representative to the counties with the largest fraction of a representative ratio until the total shall equal one hundred six members. Upon determining the number of representatives to which each county is entitled the secretary of State shall certify the same to the Governor who shall then issue a proclamation stating the number of representatives each county is entitled to in the Legislature. At the next general election following each such proclamation the qualified electors of each county shall elect the number of representatives to which such county is entitled as shown by said proclamation.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

On motion of Mr. Kendall, said substitute was laid on the table.

Yeas 26; Nays 8.

Yeas:

Messrs.:	Gaither	Howle	Patton
Allen	Golson	Hughes	Perry
Barrett	Gulledge	Kendall	Quarles
Bridges	Hardwick	Kimbrell	Russell
Burnside	Harvey	Lamberth	Summerlin
Clayton	Henderson	Owens	Wright
Fite	Hooton	Patterson	

—26

Nays:

Messrs.:	Coleman	Langan	Mize
Boutwell	Glover	Lowe	Swift
Cater			

—8

The question then recurred on the amendment offered by Mr. Patton, to the bill, H. B. 719, and said amendment was then adopted.

Yeas 19; Nays 14.

Yeas:

Messrs.:	Clayton	Hooton	Patton
Barrett	Coleman	Hughes	Perry
Boutwell	Glover	Lowe	Quarles
Bridges	Golson	Mize	Swift
Cater	Henderson	Patterson	Wright

—19

Nays:

Messrs.:	Gaither	Kendall	Owens
Allen	Hardwick	Kimbrell	Russell
Burnside	Harvey	Lamberth	Summerlin
Fite	Howle	Langan	

—14

Mr. Harvey moved that the Senate do now adjourn until Friday, August 23rd, 1949, at nine o'clock A. M., which motion was lost.

Yeas 16; Nays 18.

Yeas:

Messrs.:	Hardwick	Hughes	Langan
Bridges	Harvey	Kendall	Owens
Burnside	Hooton	Kimbrell	Russell
Fite	Howle	Lamberth	Summerlin
Gaither			

—16

Nays:

Messrs.:	Clayton	Henderson	Perry
Allen	Coleman	Lowe	Quarles
Barrett	Glover	Mize	Swift
Boutwell	Golson	Patterson	Wright
Cater	Gulledge	Patton	

—18

At 6:50 P. M. Mr. Patterson moved that the Senate do now take a recess until 8:00 P. M. tonight, which motion was lost.

Yeas 6; Nays 27.

Yeas:

Messrs.:	Burnside	Mize	Summerlin
Bridges	Hooton	Patterson	

—6

Nays:

Messrs.:	Fite	Howle	Owens
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Golson	Kimbrell	Quarles
Cater	Gulledge	Lamberth	Russell
Clayton	Hardwick	Langan	Swift
Coleman	Henderson	Lowe	Wright

—27

Mr. Swift then offered the following substitute, for the bill, H. B. 719, as amended, to-wit:

SUBSTITUTE FOR H. B. 719 AS AMENDED

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama providing for representation in the State Senate; ordering an election upon the proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

Amendment

"The State is hereby divided in senatorial districts as follows and one senator shall be elected by the qualified electors of each district, and the Legislature shall revise the senatorial districts at its first session after each federal decennial census; First District, Lauderdale County; Second District, Lawrence and LIMESTONE Counties; Third District, Morgan County; Fourth District, Madison County; Fifth District, Jackson and Marshall Counties; Sixth District, Etowah County; Seventh District, Calhoun County; Eighth District, Talladega County; Ninth District, Chambers and Randolph Counties; Tenth District, Elmore and Macon Counties; Eleventh District, Tuscaloosa County; Twelfth District, Walker County; Thirteenth District, Jefferson County; Fourteenth District, Pickens and Sumter Counties; Fifteenth District, Colbert and Franklin Counties; Sixteenth District, Lowndes County; Seventeenth District, Butler and Crenshaw Counties; Eighteenth District, Bibb and Perry Counties; Nineteenth District, Choctaw and Washington Counties; Twentieth District, Marengo County; Twenty-first District, Baldwin and Escambia Counties; Twenty-second District, Wilcox County; Twenty-third District, Coffee and Geneva Twenty-fourth District, Barbour County; twenty-fifth District, Coosa and Tallapoosa Counties; Twenty-sixth District, Bullock and Pike Counties; Twenty-seventh District, Lee and Russell Counties; Twenty-eighth District, Montgomery County; Twenty-ninth District, Cherokee and DeKalb Counties; Thirtieth District, Dallas County; Thirty-first District, Marion and Winston Counties; Thirty-second District, Greene and Hale Counties; Thirty-third District, Mobile County; Thirty-fourth District, Clay and Cleburne Counties; Thirty-fifth District, Dale and Henry Counties; Thirty-sixth District, Cullman and Blount Counties; Thirty-seventh District, Fayette and Lamar Counties; Thirty-eighth District, St. Clair and Shelby Counties; Thirty-ninth District, Au-

tauga and Chilton Counties; Fortieth District, Conecuh and Covington Counties; Forty-first District, Clarke and Monroe Counties; Forty-second District, Houston County.

"Any provisions of this Constitution which conflict with the provisions hereof are hereby modified to conform herewith."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Mr. Harvey moved to lay on the table the substitute offered by Mr. Swift, and the motion to table was lost.

Yeas 14; Nays 17.

Yeas:

Messrs.:	Harvey	Kendall	Patterson	
Barrett	Henderson	Kimbrell	Perry	
Burnside	Howle	Lamberth	Summerlin	
Golson	Hughes	Owens		—14

Nays:

Messrs.:	Coleman	Langan	Quarles	
Allen	Fite	Lowe	Russell	
Boutwell	Glover	Mize	Swift	
Cater	Hardwick	Patton	Wright	
Clayton	Hooton			—17

At 7:50 P. M., Mr. Harvey moved that the Senate adjourn until Friday, August 23, 1949, at nine o'clock A. M., which motion was lost.

Yeas 12; Nays 20.

Yeas:

Messrs.:	Hardwick	Kendall	Langan	
Barrett	Harvey	Kimbrell	Owens	
Burnside	Howle	Lamberth	Russell	
Fite				—12

Nays:

Messrs.:	Cater	Glover	Henderson
Allen	Clayton	Golson	Hooton
Boutwell	Coleman	Gulledge	Hughes

Lowe	Patton	Quarles	Swift	
Mize	Perry	Summerlin	Wright	
Patterson				—20

And the substitute offered by Mr. Swift, for the Bill, H. B. 719, as amended, was then adopted.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Coleman	Langan	Quarles	
Allen	Glover	Lowe	Russell	
Boutwell	Golson	Mize	Swift	
Cater	Hardwick	Patton	Wright	
Clayton	Henderson	Perry		—18

Nays:

Messrs.:	Harvey	Kendall	Owens	
Barrett	Hooton	Kimbrell	Patterson	
Fite	Howle	Lamberth	Summerlin	
Gaither	Hughes			—13

Mr. Boutwell then offered the following substitute for the bill, H. B. 719, as amended, to-wit:

SUBSTITUTE FOR H. B. 719 AS AMENDED

A BILL TO BE ENTITLED AN ACT

To propose an amendment to the Constitution of Alabama relative to representation in the Legislature of Alabama; ordering an election upon the proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

Amendment

"After the ratification of this amendment there shall be two senators from each congressional district of the State, each of whom shall be elected at large by the qualified electors of the counties composing the district, except those counties having a senator as herein provided. The two senators from a congressional district shall not reside in the same county except in the case of one county constituting a separate congressional district. Each of the following counties shall have a senator, who shall be a qualified elector of the county, and the electors of these counties

shall not participate in the election of the senators at large from the other counties of their respective congressional districts, namely, Mobile, Montgomery, Etowah, Calhoun, Tuscaloosa, Madison, Talladega, Walker, Dallas, Lauderdale, Morgan, Houston, Cullman, Baldwin, Barbour, Marengo, Wilcox, and Lowndes.

"The house of representatives shall consist of one hundred and six members apportioned among the several counties of the State, according to the number of inhabitants in them as ascertained by the 1940 federal census, as follows:

County	Population	Number of Representatives
Coosa	13,460	1
Cleburne	13,629	1
Washington	16,188	1
Clay	16,907	1
Winston	18,746	1
Greene	19,185	1
Lamar	19,708	1
Bullock	19,810	1
Cherokee	19,928	1
Bibb	20,155	1
Choctaw	20,195	1
Autauga	20,977	1
Fayette	21,651	1
Henry	21,912	1
Lowndes	22,661	1
Dale	22,685	1
Crenshaw	23,651	1
Conecuh	25,489	1
Randolph	25,516	1
Hale	25,533	1
Wilcox	26,279	1
Perry	26,610	1
Sumter	27,321	1
St. Clair	27,336	1
Franklin	27,552	1
Clarke	27,636	1
Macon	27,654	1
Pickens	27,671	1
Lawrence	27,880	1
Chilton	27,995	1
Marion	28,776	1
Shelby	28,962	1
Geneva	29,172	1
Monroe	29,465	1
Blount	29,490	1
Escambia	30,671	1
Coffee	31,987	1

Baldwin	32,324	1
Butler	32,447	1
Pike	32,493	1
Barbour	32,722	1
Colbert	34,093	1
Elmore	34,546	1
Tallapoosa	35,270	1
Limestone	35,642	1
Marengo	35,736	1
Russell	35,775	2
Lee	36,455	2
Jackson	41,802	2
Chambers	42,146	2
Marshall	42,395	2
Covington	42,417	2
Dekalb	43,075	2
Houston	45,665	2
Lauderdale	46,230	2
Cullman	47,343	2
Morgan	48,148	2
Talladega	51,832	2
Dallas	55,245	2
Calhoun	63,319	2
Walker	64,201	3
Madison	66,317	3
Etowah	72,580	3
Tuscaloosa	76,036	3
Montgomery	114,420	5
Mobile	141,947	5
Jefferson	459,390	9

(Constitutional Limit) 106

"The representatives provided for herein shall be elected by the qualified electors of the several counties on the first Tuesday after the first Monday in November in the year 1950 and every fourth year thereafter. Except in Jefferson County, the places to be filled shall be designated by numbers and every candidate for a place shall designate in his announcement the number of place for which he is a candidate. The terms of office of representatives shall commence on the day after the general election at which they are elected, and expire on the day after the general election held in the fourth year after their election, except as otherwise provided in the Constitution."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama,

as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Mr. Owens moved that the bill as amended, be postponed until the next Legislative Day, which resulted in a tie vote.

Yeas 17; Nays 17.

Yeas:

Messrs.:	Coleman	Hughes	Patterson	
Allen	Glover	Kimbrell	Patton	
Boutwell	Gulledge	Mize	Summerlin	
Bridges	Henderson	Owens	Swift	
Burnside	Howle			—17

Nays:

Messrs.:	Gaither	Kendall	Perry	
Barrett	Golson	Lamberth	Quarles	
Cater	Hardwick	Langan	Russell	
Clayton	Harvey	Lowe	Wright	
Fite	Hooton			—17

The President and Presiding Officer of the Senate voted "nay", therefore the motion to postpone was lost.

On motion of Mr. Langan, the substitute offered by Mr. Boutwell for the bill, as amended, was laid on the table.

Yeas 23; Nays 8.

Yeas:

Messrs.:	Gaither	Kendall	Patton	
Allen	Glover	Kimbrell	Perry	
Barrett	Golson	Lamberth	Quarles	
Burnside	Henderson	Langan	Russell	
Clayton	Hooton	Mize	Summerlin	
Fite	Howle	Owens	Swift	—23

Nays:

Messrs.:	Coleman	Hughes	Patterson	
Boutwell	Hardwick	Lowe	Wright	
Cater				—8

Mr. Summerlin offered the following substitute for the bill, as amended, to-wit:

SUBSTITUTE FOR HOUSE BILL 719 AS AMENDED

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama relative to representation in the Senate of Alabama; ordering an election upon the proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

Amendment

"After the ratification of this amendment there shall be elected two senators from each congressional district of the State, each of whom shall be elected at large by the qualified electors of the counties composing the district, except those counties having a separate senator as hereinafter provided. In addition, the eighteen counties of the State having the greatest populations according to the last or any subsequent federal census, except any county now or hereafter constituting a separate congressional district, shall have a separate senator, and the electors of these counties shall not participate in the election of any other senator. It is provided, however, that if in any congressional district composed of more than one county there is no county which is entitled to a separate senator, the electors of the counties composing the congressional district shall elect two additional senators; if in any congressional district composed of more than one county there is only one county which is entitled to a separate senator, the electors of the counties in the congressional district not having a separate senator shall elect one additional senator. No senator shall be a resident of the same county as any other senator, except in the case of one county's constituting a separate congressional district.

"Immediately after publication of the result of any federal census the Secretary of State shall determine which counties are entitled to separate senators and the number of senators to be elected by the counties not having a separate senator in each congressional district. Such determination shall govern the election of senators in the next succeeding election."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provi-

sions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

On motion of Mr. Hooton, the substitute offered by Mr. Summerlin for the bill, as amended, was laid on the table.

Yeas 22; Nays 10.

Yeas:

Messrs.:	Cater	Henderson	Mize	
Allen	Clayton	Hooton	Patterson	
Barrett	Fite	Kendall	Quarles	
Boutwell	Glover	Kimbrell	Summerlin	
Bridges	Golson	Lamberth	Swift	
Burnside	Hardwick	Langan		—22

Nays:

Messrs.:	Howle	Owens	Russell	
Coleman	Hughes	Patton	Wright	
Harvey	Low	Perry		—10

Mr. Summerlin offered the following amendment to the bill, as amended, to-wit:

Amend H. B. 719, as amended, so that the Constitutional Amendment proposed thereby will read as follows:

Amendment

The State is hereby divided, as follows, into thirty-five (35) senatorial districts, which districts are as nearly equal to each other in the number of inhabitants as may be, having regard to the requirements of Article IX of the Constitution of Alabama that no county shall be divided between two districts and that no district shall be made up of two or more counties not contiguous to each other:

First District, the county of Jefferson; Second District, the county of Mobile; Third District, the county of Montgomery; Fourth District, the counties of Limestone and Madison; Fifth District, the counties Etowah and St. Clair; Sixth District, the counties of Fayette and Tuscaloosa; Seventh District, the counties of Jackson and Marshall; Eighth District, the counties of Walker and Winston; Ninth District, the counties of Colbert and Lauderdale; Tenth District, the counties of Calhoun and Talladega; Eleventh District, the counties of Blount and Cullman; Twelfth

District, the counties of Dallas and Perry; Thirteenth District, the counties of Lawrence and Morgan; Fourteenth District; the counties of Lee and Russell; Fifteenth District, the counties of Cleburne and Clay; Sixteenth District, the counties of Chambers and Randolph; Seventeenth District, the counties of Henry and Houston; Eighteenth District, the counties of Covington and Conneh; Nineteenth District, the counties of Cherokee and DeKalb; Twentieth District, the counties of Marengo and Sumter; Twenty-first District, the counties of Baldwin and Escambia; Twenty-second District, the counties of Macon and Tallapoosa; Twenty-third District, the counties of Coffee and Geneva; Twenty-fourth District, the counties of Butler and Wilcox; Twenty-fifth District, the counties of Clarke and Monroe; Twenty-sixth District, the counties of Autauga and Chilton; Twenty-seventh District, the counties of Bibb and Shelby; Twenty-eighth District, the counties of Franklin and Marion; Twenty-ninth District, the counties of Barbour and Dale; Thirtieth District, the counties of Bullock and Pike; Thirty-first District, the counties of Crenshaw and Lowndes; Thirty-second District, the counties of Coosa and Elmore; Thirty-third District, the counties of Lamar and Pickens; Thirty-fourth District, the counties of Greene and Hale; Thirty-fifth District, the counties of Choctaw and Washington.

On motion of Mr. Owens the amendment offered by Mr. Summerlin to the bill, as amended, was laid on the table.

Yeas 22; Nays 12.

Yeas:

Messrs.:	Clayton	Langan	Perry	
Allen	Golson	Lowe	Quarles	
Barrett	Henderson	Mize	Russell	
Boutwell	Hughes	Owens	Swift	
Bridges	Kendall	Patterson	Wright	
Cater	Kimbrell	Patton		—22

Nays:

Messrs.:	Gaither	Hardwick	Howle	
Burnside	Glover	Harvey	Lamberth	
Coleman	Gulledge	Hooton	Summerlin	
Fite				—12

Mr. Harvey offered the following substitute for the bill, as amended, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama relating to the Legislature, membership in the Senate, election of members, legislative sessions, and compensation of members; ordering an election upon the proposed amendment to be held on

the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

Amendment

“(a) The house of representatives shall consist of sixty-seven members, one member being elected from each county in the state.

“(b) The senate shall consist of three senators elected from each congressional district in the state. If a congressional district embraces less than three counties, the three senators shall be elected at large by the qualified electors of the counties composing the congressional district. If a congressional district embraces three counties, the qualified electors of each of the three counties composing the congressional district shall elect one senator. If a congressional district embraces more than three counties, the legislature shall divide the congressional district into three senatorial districts, which senatorial districts shall be as nearly equal to each other in population as is possible; provided, that no county shall be divided between two senatorial districts, and no senatorial district shall embrace two or more counties not contiguous to each other. The qualified electors of each such senatorial district shall elect one senator. At such times as the legislature shall redefine the boundaries of the congressional districts, the legislature shall also redefine the senatorial districts in those congressional districts embracing more than three counties.

“(c) Senators shall be elected for terms of six years. At the general election of nineteen hundred and fifty, the three senators shall be elected from each congressional district in the state as hereinabove provided; however, one senator from each congressional district shall be elected for a term of two years, one senator from each congressional district shall be elected for a term of four years, and one senator from each congressional district shall be elected for a term of six years. Prior to the general election of nineteen hundred and fifty, the secretary of state shall determine by lot which of the three senators from each congressional district shall be elected for the two, four, and six year terms. Upon the expiration of the terms of the senators elected in nineteen hundred and fifty, their successors shall be elected for terms of six years, and shall be elected every six years thereafter. Members of the house of representatives shall be elected for terms of four years at the general election of nineteen hundred and fifty and every four years thereafter.

“(d) All sessions of the legislature shall be held at the capitol

in the senate chamber and in the hall of the house of representatives, unless at any time it should from any cause become impossible or dangerous for the legislature to meet or remain at the capitol, or for the senate to meet or remain in the senate chamber, or for the representatives to meet or remain in the hall of the house of representatives, in which case the governor may convene the legislature, or remove it after it has convened, to some other place, or he may designate some other place for the sitting of the respective houses, or either of them as necessity may require. The legislature shall convene in regular sessions on the first Thursday after the second Tuesday in January of 1951, and on the first Thursday after the second Tuesday in January in each year thereafter, until the date of meeting shall have been changed by an act of the legislature approved by the governor. The legislature shall remain in session so long as the legislature may deem necessary to transact its business; provided, the legislature may recess from day to day, until such time as both the senate and the house of representatives adopt a joint resolution agreeing to adjourn sine die on a specified day. Special sessions of the legislature shall be convened in the manner provided by the Constitution, and the legislature shall remain in special session so long as the legislature may deem necessary to transact its business; provided the legislature may recess from day to day until such time as both the senate and the house of representatives adopt a joint resolution agreeing to adjourn the special session sine die on a specified day.

“(e) The pay of senators shall be three thousand six hundred dollars per annum, and the pay of representatives shall be three thousand dollars per annum, which salaries shall be paid in installments as other state officers are paid. Each member of the legislature shall be paid ten cents per mile in going from his residence to, and in returning to his residence from, the seat of government, to be computed by the nearest usual route traveled, but not more than one such travel allowance shall be paid for attending each session of the legislature. The salary and mileage provided above shall be in lieu of all other compensation, and members shall not receive any additional compensation, expense allowance, or mileage.

“(f) The provisions of this Constitution in conflict herewith are hereby modified to conform to the provisions of this amendment.”

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amend-

ment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Which was lost.

Yeas 13; Nays 20.

Yeas:

Messrs.:	Hardwick	Kendall	Owens	
Allen	Harvey	Kimbrell	Russell	
Burnside	Hooton	Lamberth	Summerlin	
Coleman	Hughes			—13

Nays:

Messrs.:	Fite	Howle	Patton	
Barrett	Gaither	Langan	Perry	
Boutwell	Glover	Lowe	Quarles	
Bridges	Golson	Mize	Swift	
Cater	Henderson	Patterson	Wright	
Clayton				—20

Mr. Gaither moved that the bill, as amended, be indefinitely postponed, which motion was lost.

Yeas 16; Nays 17.

Yeas:

Messrs.:	Coleman	Gulledge	Lowe	
Barrett	Gaither	Henderson	Perry	
Boutwell	Glover	Hooton	Quarles	
Cater	Golson	Hughes	Wright	
Clayton				—16

Nays:

Messrs.:	Hardwick	Lamberth	Patterson	
Allen	Harvey	Langan	Patton	
Bridges	Howle	Mize	Summerlin	
Burnside	Kendall	Owens	Swift	
Fite	Kimbrell			—17

Mr. Patterson offered the following amendment to the bill, as amended, to-wit:

Amend Section 1, H. B. 719, as amended, by striking Russell County from the 27th Senatorial District and add at the end of said paragraph: "Forty-third District Russell County."

And on motion of Mr. Clayton said amendment was laid on the table.

Mr. Hardwick offered the following substitute for the bill, as amended, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one senator from each county; ordering an election upon the proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor.

Amendment

"The Senate of Alabama shall be composed of one senator from each county, who shall be elected by the qualified electors at the general election in 1954, and in every fourth year thereafter."

Section 2. An election upon the proposed amendment is ordered to be held at the next general election after the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each court house and post office.

Which was adopted.

Yeas 19; Nays 14.

Yeas:

Messrs.:	Gaither	Howle	Owens	
Allen	Hardwick	Kendall	Patterson	
Bridges	Harvey	Kimbrell	Patton	
Burnside	Henderson	Lamberth	Russell	
Fite	Hooton	Langan	Summerlin	—19

Nays:

Messrs.:	Clayton	Hughes	Quarles	
Barrett	Coleman	Lowe	Swift	
Boutwell	Glover	Mize	Wright	
Cater	Golson	Perry		—14

And said bill, as thus amended, was then read a third time at length and lost for failure to receive the required Constitutional majority.

Yeas 18; Nays 15.

Yeas:

Messrs.:	Gaither	Kimbrell	Patton	
Allen	Harvey	Lamberth	Russell	
Bridges	Hooton	Langan	Summerlin	
Burnside	Howle	Owens	Swift	
Fite	Kendall	Patterson		—18

Nays:

Messrs.:	Clayton	Hardwick	Mize	
Barrett	Coleman	Henderson	Perry	
Boutwell	Glover	Hughes	Quarles	
Cater	Golson	Lowe	Wright	—15

At 9:25 P. M. Mr. Hardwick moved that the Senate do now adjourn until Friday, August 26, 1949, at 9:00 A. M., which motion wast lost.

Yeas 14; Nays 19.

Yeas:

Messrs.:	Gaither	Kendall	Owens	
Bridges	Hardwick	Kimbrell	Patton	
Burnside	Harvey	Lamberth	Russell	
Fite	Howle	Langan		—14

Nays:

Messrs.:	Clayton	Hooton	Perry	
Allen	Coleman	Hughes	Quarles	
Barrett	Glover	Lowe	Summerlin	
Boutwell	Golson	Mize	Swift	
Cater	Henderson	Patterson	Wright	—19

The Bill:

H. 380. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the bill, to-wit:

SUBSTITUTE FOR H. B. 380

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, and the Board of Trustees of the Institute for Deaf and Blind.

Be It Enacted by the Legislature of Alabama:

Section 1. The following appropriations, aggregating, with some items shown as estimates, \$57,496,600.00 for the fiscal year ending September 30, 1950, and \$57,556,600.00 for the fiscal year ending September 30, 1951, are hereby made for the support of public education in Alabama, and, except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions, and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama, 1940), and the amount specified for an object shall be the maximum amount spent therefor, the provisions of any law, statute, or regulation to the contrary notwithstanding.

Section 2. DEPARTMENT OF EDUCATION. There is hereby appropriated for each of the fiscal years 1949-50 and 1950-51 to the Department of Education the following amounts:

Salary of the State Superintendent..\$	5,700.00
Other Salaries	149,480.00
Other Expenses	44,220.00
Equipment Purchases	600.00
Total	\$ 200,000.00

Section 3. REVOLVING FUND. There is hereby appropriated to the State Board of Education out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$100,000.00 to be known as the Revolving Fund, and to be expended to relieve emergency conditions that arise in connection with the operation of the public schools, or in otherwise aiding the public schools, in accordance with the provisions of statutes relating to the expenditures of such fund.

Section 4. MINIMUM PROGRAM FUND. That in addition to all other funds appropriated for the public elementary and high schools of the State, there is hereby appropriated to the State

Board of Education out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$42,000,000.00 to be known as the Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught if, in the judgment of the State Superintendent of Education and the State Board of Education, unusual conditions beyond the control of the local board of education in any school are such as to prevent the operation of that school for the required nine months minimum term. Provided, further, that an amount equal to but not in excess of \$425,000.00 per annum, or as much thereof as may be necessary of this appropriation, be used by the State Board of Education to provide sick leave payments to teachers in the public elementary and high schools. The Minimum Program Fund shall also include any other appropriation or funds, either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

Section 5. **FREE TEXT BOOKS.** There is hereby appropriated to the State Board of Education out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$325,000.00 to be expended for the purpose of furnishing free text books in the tax-supported public elementary schools of the State in accordance with the statutes and regulations of the State Board of Education in regard thereto.

Section 6. **ALABAMA COLLEGE.** There is hereby appropriated out of the State Treasury to Alabama College for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$470,000.00 as provided for in existing statutes (to be devoted to the same purposes and in the same proportions as provided in existing statutes).

Section 7. **UNIVERSITY OF ALABAMA.** There is hereby appropriated out of the State Treasury to the University of Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$1,917,500.00 as provided for in existing statutes (to be devoted to the same purposes and in the same proportions as provided in existing statutes), and \$40,000.00 for a graduate school of nursing.

Section 8. **THE UNIVERSITY OF ALABAMA MEDICAL CENTER.** (a) There is hereby appropriated out of the State Treasury to the University of Alabama Medical College and School of Nursing for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$575,000.00 for maintenance

and operation; (b) There is hereby appropriated out of the State Treasury to the School of Dentistry for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$225,000.00 for maintenance and operation; (c) For equipment for School of Dentistry for each of the fiscal years ending September 30, 1950, and September 30, 1951, \$100,000.00; (d) The expenditure of the funds appropriated in this section shall be governed by the limitations and restrictions controlling the expenditures in Act No. 89, 1943 Acts, page 89, and in Section 9 of Act No. 207, 1945 Acts, page 325.

Section 9. UNIVERSITY OF ALABAMA FOR RESEARCH AND EXTENSION WORK. There is hereby appropriated out of the State Treasury of the University of Alabama the further sum of \$120,000.00 for each of the fiscal years ending September 30, 1950, and September 30, 1951, to be expended in accordance with the restrictions and limitations provided for research and extension work of the 1943 Acts of the Legislature, page 142.

Section 10. ALABAMA POLYTECHNIC INSTITUTE. There is hereby appropriated out of the State Treasury to the Alabama Polytechnic Institute for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$1,676,000.00 as provided for in existing statutes (to be devoted to the same purposes and in the same proportions as provided in existing statutes).

Section 11. ALABAMA POLYTECHNIC INSTITUTE SCHOOL OF FORESTRY. (1) To provide for more adequate instructions in forestry and adequate training for agriculture students in the Alabama Polytechnic Institute, there is hereby appropriated to the Board of Trustees of the Alabama Polytechnic Institute the sum of \$25,000.00 for each of the fiscal years ending September 30, 1950, and September 30, 1951. (2) To provide for the more adequate support of research work in forestry at the Alabama Polytechnic Institute, there is hereby appropriated to the Board of Trustees of the Alabama Polytechnic Institute the sum of \$25,000.00 for each of the fiscal years ending September 30, 1950, and September 30, 1951. The funds appropriated in this section shall be expended only in accordance with the instructions and limitations placed thereon by Act No. 294, 1945 Legislature, page 488.

Section 12. ALABAMA POLYTECHNIC INSTITUTE FOR EXTENSION WORK IN AGRICULTURE AND HOME ECONOMICS. (a) That in order to aid in diffusing among the peoples of Alabama in the several counties thereof useful and practical information on subjects relating to agriculture and home economics; to provide for the continuance and improvement of farm and home demonstration work; to provide for the training of men and women leaders; to provide for organizing clubs of farm people, including men, women, boys and girls, for the improvement of agriculture and farm home life; to promote the welfare of the rural districts by other forms of extension work in Agricul-

ture and Home Economics; and to aid in securing for expenditure in Alabama the full amounts of federal funds appropriated conditionally to Alabama by the Congress of the United States, under the Act approved May 8, 1914, and generally known as the Smith-Lever Act for Extension Work in Agriculture and Home Economics, and other supplementary and related Acts for Extension Work in Agriculture and Home Economics, there is appropriated to the Alabama Polytechnic Institute out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$350,000.00. (b) That the funds appropriated under (a) in this section shall be expended under the general direction of the Board of Trustees of the Alabama Polytechnic Institute, through its Extension Service, for paying any and all bills and other items carrying out the aims and purposes of this section and in such manner as to aid in securing for Extension Work in Alabama in any year the maximum amounts of all federal funds conditionally appropriated for that year by an Act of Congress of the United States approved May 8, 1914, and generally known as the Smith-Lever Act for Extension Work in Agriculture and Home Economics, and other federal acts supplementary and related thereto. (c) That for each of the fiscal years ending September 30, 1950, and September 30, 1951, that is hereby appropriated out of the funds in the State Treasury the sum of \$75,000.00 for use by the Extension Service of the Alabama Polytechnic Institute for the following uses, and purposes: (1) For the payment of salaries for marketing specialists, \$36,000.00; (2) For the payment of traveling expenses for marketing specialists, \$11,300.00; (3) For the payment of clerks and stenographers, \$10,800.00; (4) For other expenses, \$16,900.00.

Section 13. ALABAMA POLYTECHNIC INSTITUTE FOR AGRICULTURE RESEARCH. (a) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Alabama Agriculture Experiment Station of Alabama Polytechnic Institute for the support of the work of the main station at Auburn, and for cooperative experiments with farmers, the sum of \$200,000.00. (b) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Tennessee Valley Branch Station located at Bell Mina in Limestone County, the sum of \$12,500.00. (c) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Sand Mountain Branch Station located at Crossville in DeKalb County, the sum of \$12,500.00. (d) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Black Belt Branch Station located at Marion Junction in Dallas County, the sum of \$14,900.00. (e) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and

September 30, 1951, to the Wiregrass Branch Station located at Headland in Henry County, the sum of \$12,500.00. (f) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Gulf Coast Branch Station located at Fairhope in Baldwin County, the sum of \$14,900.00. (g) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Piedmont Experimental Branch Station, the sum of \$14,900.00. (h) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Upper Coastal Plains Branch Station, the sum of \$14,900.00. (i) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the operation and maintenance of the Lower Coastal Plains Branch Station the sum of \$14,900.00, conditional upon the establishment of the Lower Coastal Plains Branch Station in accordance with Act No. 222, Acts 1945, page 344. (j) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the support of researches and experiments on experiment fields, the sum of \$24,000.00. (k) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Alabama Polytechnic Institute the sum of \$10,000.00 to be used for maintenance and operation of the Central Artificial Insemination Unit. (l) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the operation and maintenance of the Farm Machinery Building, the sum of \$11,600.00. (m) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the operation and maintenance of the Horticultural Branch Station in Chilton County, the sum of \$12,500.00. (n) There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the operation and maintenance of the Horticultural Branch Station in North Alabama, the sum of \$12,500.00. (o) That all research work and experiment contemplated by the spirit and purposes of this section shall be carried out under the supervision of the Director of the Agriculture Experiment Station and the President of the Alabama Polytechnic Institute, who shall make a complete report to the Board of Trustees of the Alabama Polytechnic Institute for each of the fiscal years ending September 30, 1950, and September 30, 1951. (p) The funds provided in this section shall be used for the support of researches, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agriculture crops and products; for the production, marketing, and curing of all kinds of livestock and livestock products that may

be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants, for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut, and vegetable crops; for the study of plant and animal disease, and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion; for researches to discover new uses of land; for the provisions of necessary land, buildings, fencing, livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agriculture Experiment Station and that of the State Department of Conservation; as future changing agriculture conditions may demand; for researches and experiments on other similar important agriculture and economic problems having for their object the development of a more permanent, profitable, and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

Section 14. The funds appropriated herein for the support of the four divisions of the Alabama Polytechnic Institute shall be used exclusively for the operation of the division for which appropriated.

Section 15. **TEACHERS' RETIREMENT SYSTEM.** There is hereby appropriated out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Teachers' Retirement Fund, to be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund, the sum of \$3,250,000.00; provided further that such other amounts as may be necessary to maintain an actuarially sound Teachers' Retirement System is hereby appropriated from the Alabama Special Educational Trust Fund Surplus Account to be deposited in the Teachers' Retirement Fund upon the approval of the Governor.

Section 16. **MISCELLANEOUS.** There is hereby appropriated to the State Board of Education out of the State Treasury for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the maintenance and support of the schools, agencies, services, and institution under its control, the following amounts: (a) For the Illiteracy Fund, \$12,500.00; (b) For the Teacher Training Equalization Fund, \$600,000.00; (c) For the Special Agencies;

(1) Vocational Education, \$1,800,000.00; (2) Physical Restoration of Crippled Children, \$335,000.00; (3) Civilian Rehabilitation, \$200,000.00; (d) For the Alabama School of Trades and Industries, \$100,000.00; (e) For State Teachers Colleges: (1) State Teachers College at Florence, \$95,500.00; (2) State Teachers College at Jacksonville, \$95,500.00; (3) State Teachers College at Livingston, \$88,500.00; (4) State Teachers College at Troy, \$88,500.00; (5) Alabama State College for Negroes, \$400,000; (f) For Agricultural and Mechanical Institute at Normal \$330,000.00 for the fiscal year ending September 30, 1950, and \$390,000.00 for the fiscal year ending September 30, 1951; (g) For special appropriation for the Public School Fund, \$500,000.00; (h) For elementary Teachers' Scholarship Fund, \$25,000.00; (i) For Regional Education, \$75,000.00; (j) For Teachers' Special Pension Fund (Act No. 209, 1945 Legislature) \$88,000.00; (k) For the Vocational Trade School at Napier Field, \$110,000.00 and the Trade School at Wrenniah, \$90,000.00; (l) For Temperance Education, \$25,000.00.

Section 17. ALABAMA INSTITUTE FOR DEAF AND BLIND: For the maintenance, support, insurance, and upkeep of the Alabama Institute for Deaf and Blind, an educational institution which is a division of the public schools of Alabama, \$700.00 per pupil per annum, such appropriation to be based on the number of pupils enrolled on the first day of January of each year, and to be drawn quarterly in advance by the Alabama Institute for Deaf and Blind and to be disbursed as directed by said board.

Estimated\$560,000.00

(Any balance from the above appropriation to the Alabama Institute for Deaf and Blind shall remain in the hands of the Treasurer of said Institution and shall not revert to the State Treasurer.)

For salaries and expenses incident to instruction adult
blind\$ 30,000.00

Total\$590,000.00

Section 18. The State Superintendent of Education shall make requisition on the State Comptroller in favor of proper beneficiary in accordance with the law and the rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller upon approval by the Governor shall issue his warrant therefor provided that all appropriations and funds made available to the Alabama College, the University of Alabama, the Alabama Polytechnic Institute, the Institute for the Deaf and Blind, and the Teachers' Retirement System by the provisions of this Act shall be paid upon requisition upon the Comptroller made in the manner now provided by law.

Section 19. The appropriation for Teacher Retirement in any amounts over and above \$3,250,000.00 shall be payable from the Alabama Special Education Trust Fund Surplus Account and all other appropriations provided in this Act, including \$3,250,000.00 for Teacher Retirement shall be payable from the monies in the State Treasury to the credit of the Alabama Special Educational Trust Fund, and in the event that such Trust Fund is insufficient to cover the appropriations provided in this Act, then the balance of said appropriations shall be payable out of the monies in the State Treasury to the credit of Alabama Special Educational Trust Fund Surplus Account; provided, that not more than one-half the unappropriated surplus remaining in the Alabama Special Educational Trust Fund Surplus Account on September 30, 1949, shall be used during the fiscal year ending September 30, 1950.

Section 20. If any section, paragraph, sentence, clause, provision, or portion of this Act, or all of any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made, not in and of itself unconstitutional or invalid.

Section 21. All laws and parts of laws, general, special, private or local, in conflict with the provisions of this Act be and the same are hereby expressly repealed.

Section 22. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

On motion of Mr. Mize, the Committee substitute was laid on the table.

Mr. Allen offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR H. B. 380

A BILL TO BE ENTITLED AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, and the Board of Trustees of the Alabama Institute for Deaf and Blind.

Be It Enacted by the Legislature of Alabama:

Section 1. The following appropriations for the fiscal year ending September 30, 1950, and for the fiscal year ending September 30, 1951, with some items shown as estimates, are hereby made for the support of public education in Alabama; and, except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions, and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama, 1940).

Section 2. DEPARTMENT OF EDUCATION. There is hereby appropriated for each of the fiscal years 1949-50 and 1950-51 to the Department of Education the following amounts:

Salary of the State Superintendent..\$	5,700.00	
Other Salaries	149,480.00	
Other Expenses	44,220.00	
Equipment Purchases	600.00	
		<hr/>
Total	\$	200,000.00

Section 3. REVOLVING FUND. There is hereby appropriated to the State Board of Education for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$100,000.00, to be known as the Revolving Fund, to be expended to relieve emergency conditions that arise in connection with the operation of the public schools, or in otherwise aiding the public schools in accordance with the provisions of statutes relating to the expenditure of such fund.

Section 4. MINIMUM PROGRAM FUND. In addition to all other funds appropriated for the public elementary and high schools of the State, there is hereby appropriated to the State Board of Education for the fiscal year ending September 30, 1950, the sum of \$42,000,000.00, and \$43,873,253.00 for the fiscal year 1950-51, to be known as the Minimum Program Fund, which, in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education, shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local board of education in any school are such as to prevent the operation of that school for the required nine months minimum term. Provided further, that an amount equal to but not in excess of \$425,000.00 per annum, or as much thereof as may be necessary of this appropriation, be used by the State Board of Education to provide sick leave payments to teachers in the public elemen-

tary and high schools. The Minimum Program Fund shall also include any other appropriation or funds, either state or federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

Section 5. **FREE TEXTBOOKS.** There is hereby appropriated to the State Board of Education for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$325,000.00 to be expended for the purpose of furnishing free textbooks in the tax-supported public elementary schools of the State in accordance with the statutes and regulations of the State Board of Education in regard thereto.

Section 6. **ALABAMA COLLEGE.** There is hereby appropriated to Alabama College for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$480,000.00 as provided for in existing statutes (to be devoted to the same purposes and in the same proportions as provided in existing statutes).

Section 7. **UNIVERSITY OF ALABAMA.** There is hereby appropriated to the University of Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$2,167,500.00 as provided for in existing statutes (to be devoted to the same purposes and in the same proportions as provided in existing statutes), and \$40,000.00 for a school of nursing.

Section 8. **THE UNIVERSITY OF ALABAMA MEDICAL CENTER.** (a) There is hereby appropriated to the University of Alabama Medical College and School of Nursing for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$657,000.00 for maintenance and operation; (b) There is hereby appropriated out of the State Treasury to the School of Dentistry for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$250,000.00 for maintenance and operation; (c) For equipment for School of Dentistry for each of the fiscal years ending September 30, 1950, and September 30, 1951, \$125,000.00; (d) The expenditure of the funds appropriated in this section shall be governed by the limitations and restrictions controlling the expenditures in Act No. 89, 1943 Acts, page 89, and in Section 9 of Act No. 207, 1945 Acts, page 325.

Section 9. **UNIVERSITY OF ALABAMA FOR RESEARCH AND EXTENSION WORK.** There is hereby appropriated to the University of Alabama the further sum of \$160,000.00 for each of the fiscal years ending September 30, 1950, and September 30, 1951, to be expended in accordance with the restrictions and limitations provided for research and extension work of the 1943 Acts of the Legislature, page 142.

Section 10. **ALABAMA POLYTECHNIC INSTITUTE.** There is hereby appropriated to the Alabama Polytechnic Institute for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$1,926,000.00 as provided for in existing sta-

tutes (to be devoted to the same purposes and in the same proportions as provided in existing statutes).

Section 11. ALABAMA POLYTECHNIC INSTITUTE SCHOOL OF FORESTRY. (1) To provide for more adequate instruction in forestry and adequate training for agriculture students in the Alabama Polytechnic Institute, there is hereby appropriated to the Board of Trustees of the Alabama Polytechnic Institute the sum of \$25,000.00 for each of the fiscal years ending September 30, 1950, and September 30, 1951. (2) To provide for the more adequate support of research work in forestry at the Alabama Polytechnic Institute, there is hereby appropriated to the Board of Trustees of the Alabama Polytechnic Institute the sum of \$25,000.00 for each of the fiscal years ending September 30, 1950, and September 30, 1951. The funds appropriated in this section shall be expended only in accordance with the instructions and limitations placed thereon by Act No. 294, 1945 Legislature, page 488.

Section 12. ALABAMA POLYTECHNIC INSTITUTE FOR EXTENSION WORK IN AGRICULTURE AND HOME ECONOMICS. (a) To aid in diffusing among the people of Alabama in the several counties thereof useful and practical information on subjects relating to agriculture and home economics; to provide for the continuance and improvement of farm and home demonstration work; to provide for the training of men and women leaders; to provide for organizing clubs of farm people, including men, women, boys and girls, for the improvement of agriculture and farm home life; to promote the welfare of the rural districts by other forms of extension work in Agriculture and Home Economics; and to aid in securing for expenditure in Alabama the full amounts of federal funds appropriated conditionally to Alabama by the Congress of the United States under the Act approved May 8, 1914, and generally known as the Smith-Lever Act for Extension Work in Agriculture and Home Economics, and other supplementary and related Acts for Extension Work in Agriculture and Home Economics, there is appropriated to the Alabama Polytechnic Institute for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$450,000.00. (b) The funds appropriated under (a) in this section shall be expended under the general direction of the Board of Trustees of the Alabama Polytechnic Institute, through its Extension Service, for paying any and all bills and other items carrying out the aims and purposes of this section and in such manner as to aid in securing for Extension Work in Alabama in any year the maximum amounts of all federal funds conditionally appropriated for that year by an Act of Congress of the United States approved May 8, 1914, and generally known as the Smith-Lever Act for Extension Work in Agriculture and Home Economics, and other federal acts supplementary and related thereto. (c) For each of the fiscal years ending September 30, 1950, and September

30, 1951, there is hereby appropriated the sum of \$75,000.00 for use by the Extension Service of the Alabama Polytechnic Institute for the following uses, and purposes: (1) For the payment of salaries for marketing specialists, \$36,000.00; (2) For the payment of traveling expenses for marketing specialists, \$11,300.00; (3) For the payment of clerks and stenographers, \$10,800.00; (4) For other expenses, \$16,900.00.

Section 13. ALABAMA POLYTECHNIC INSTITUTE FOR AGRICULTURAL RESEARCH. (a) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Alabama Agricultural Experiment Station of Alabama Polytechnic Institute for the support of the work of the main station at Auburn, and for cooperative experiments with farmers, the sum of \$350,000.00.

(b) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Tennessee Valley Branch Station located at Bell Mina in Limestone County, the sum of \$12,500.00.

(c) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Sand Mountain Branch Station located at Crossville in DeKalb County, the sum of \$12,500.00.

(d) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Black Belt Branch Station located at Marion Junction in Dallas County, the sum of \$14,900.00.

(e) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Wiregrass Branch Station located at Headland in Henry County, the sum of \$12,500.00.

(f) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Gulf Coast Branch Station located at Fairhope in Baldwin County, the sum of \$14,900.00.

(g) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Piedmont Experimental Branch Station, the sum of \$14,900.00.

(h) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Upper Coastal Plains Branch Station, the sum of \$14,900.00.

(i) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the operation and maintenance of the Lower Coastal Plains Branch Station, the sum of \$14,900.00, conditional upon the establishment of the Lower Coastal Plains Branch Station in accordance with Act No. 222, Acts 1945, page 344.

(j) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the sup-

port of researches and experiments on experiment fields, the sum of \$24,000.00.

(k) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Alabama Polytechnic Institute, the sum of \$10,000.00 to be used for maintenance and operation of the Central Artificial Insemination Unit.

(l) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the operation and maintenance of the Farm Machinery Building, the sum of \$11,600.00.

(m) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the operation and maintenance of the Horticultural Branch Station in Chilton County, the sum of \$12,500.00.

(n) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the operation and maintenance of the Horticultural Branch Station in North Alabama, the sum of \$12,500.00.

(o) That all research work and experimentation contemplated by the spirit and purposes of this section shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of the Alabama Polytechnic Institute, who shall make a complete report to the Board of Trustees of the Alabama Polytechnic Institute for each of the fiscal years ending September 30, 1950, and September 30, 1951.

(p) The funds provided in this section shall be used for the support of researches, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production, marketing, and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants, for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaptation and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut, and vegetable crops; for the study of plant and animal disease, and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion; for researches to discover new uses of land; for the provisions of necessary land, buildings, fencing, livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in co-

operation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable, and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

Section 14. The funds appropriated herein for the support of the four divisions of the Alabama Polytechnic Institute shall be used exclusively for the operation of the division for which appropriated.

Section 15. **TEACHERS' RETIREMENT SYSTEM.** There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Teachers' Retirement Fund, to be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund, the sum of \$3,250,000.00; provided, that such other amounts as may be necessary to maintain an actuarially sound Teachers' Retirement System are hereby appropriated from the Alabama Special Educational Trust Fund Surplus Account, to be deposited in the Teachers' Retirement Fund upon the approval of the Governor.

Section 16. **MISCELLANEOUS.** There is hereby appropriated to the State Board of Education for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the maintenance and support of the schools, agencies, services, and institutions under its control, the following amounts: (a) For the Illiteracy Fund, \$12,500.00; (b) For the Teacher Training Equalization Fund, \$600,000.00; (c) For the Special Agencies; (1) Vocational Education, \$1,800,000.00; (2) Physical Restoration of Crippled Children, \$335,000.00; (3) Civilian Rehabilitation, \$200,000.00; (d) For the Alabama School of Trades and Industries, \$122,000.00; (e) For State Teachers Colleges; (1) State Teachers College at Florence, \$95,500.00; (2) State Teachers College at Jacksonville, \$95,500.00; (3) State Teachers College at Livingston, \$88,500.00; (4) State Teachers College at Troy, \$88,500.00; (5) Alabama State College for Negroes, \$400,000; (f) For Agricultural and Mechanical Institute at Normal, \$330,000.00 for the fiscal year ending September 30, 1950, and \$390,000.00 for the fiscal year ending September 30, 1951; (g) For special appropriation for the Public School Fund, \$500,000.00; (h) For Elementary Teachers' Scholarship Fund, \$25,000.00; (i) For Regional Education, \$75,000.00; (j) For Teachers' Special Pension Fund (Act No. 209, 1945 Legislature) \$80,000.00; (k) For the Vocational Trade School at Napier Field, \$104,000.00 and the Trade School at Wenonah, \$74,000.00; (l) For Temperance Education, \$25,000.00.

Section 17. ALABAMA INSTITUTE FOR DEAF AND BLIND: For the maintenance, support, insurance, and upkeep of the Alabama Institute for Deaf and Blind, an educational institution which is a division of the public schools of Alabama, \$700.00 per pupil per annum, such appropriation to be based on the number of pupils enrolled on the first day of January of each year, and to be drawn quarterly in advance by the Alabama Institute for Deaf and Blind and to be disbursed as directed by said board.

Estimated \$560,000.00

(Any balance from the above appropriation to the Alabama Institute for Deaf and Blind shall remain in the hands of the treasurer of said institution and shall not revert to the State Treasurer.)

For salaries and expenses incident to instruction
of adult blind \$ 30,000.00

Total \$590,000.00

Section 18. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and the rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, upon approval by the Governor, shall issue his warrant therefor; provided, that all appropriations and funds made available to the Alabama College, the University of Alabama, the Alabama Polytechnic Institute, the Institute for the Deaf and Blind, and the Teachers' Retirement System by the provisions of this Act shall be paid upon requisition upon the Comptroller made in the manner now provided by law.

Section 19. The appropriation for teacher retirement in any amounts over and above \$3,250,000.00 shall be payable from the Alabama Special Educational Trust Fund Surplus Account and all other appropriations provided in this Act, including \$3,250,000.00 for teacher retirement, shall be payable from the monies in the state treasury to the credit of the Alabama Special Educational Trust Fund, and in the event that such trust fund is insufficient to cover the appropriations provided in this Act, then the balance of said appropriations shall be payable out of the monies in the state treasury to the credit of the Alabama Special Educational Trust Fund Surplus Account; provided, that not more than one-half the unappropriated surplus remaining in the Alabama Special Educational Trust Fund Surplus Account on September 30, 1949, shall be used during the fiscal year ending September 30, 1950.

Section 20. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause,

provision, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 21. All laws and parts of laws, general, special, private, or local, in conflict with the provisions of this Act are hereby expressly repealed.

Section 22. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 22; Nay 1.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Golson	Hughes	Perry	
Barrett	Gulledge	Kendall	Russell	
Boutwell	Hardwick	Lamberth	Swift	
Burnside	Henderson	Langan	Wright	
Clayton	Hooton	Mize		—22

Nay:	Mr. Patton			—1
------	------------	--	--	----

ADJOURNMENT

At 9:40 P. M. on motion of Mr. Hooton, and pending further consideration of H. B. 380, the Senate adjourned until Friday, August 26, 1949, at 9 A. M.

THIRTY-FOURTH LEGISLATIVE DAY

FRIDAY, AUGUST 26, 1949

The Senate met pursuant to adjournment, Lieutenant Governor Inzer presiding.

PRAYER

The session was opened with prayer by Bishop Clare Purcell, Bishop, Alabama Conference of the Methodist Church, Birmingham, Alabama.

ROLL CALL

Present:

Messrs.:	Glover	Hughes	Patterson	
Allen	Golson	Kendall	Patton	
Boutwell	Gulledge	Kimbrell	Perry	
Burnside	Hardwick	Lamberth	Quarles	
Cater	Harvey	Langan	Russell	
Clayton	Henderson	Lowe	Summerlin	
Coleman	Hooton	Mize	Swift	
Fite	Howle	Owens	Wright	
Gaither				—32

JOURNAL

On motion of Mr. Hooton, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Mize, leave of absence was granted Mr. Barrett for today.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolutions with the original Senate Joint Resolutions and finds same correctly enrolled, to-wit:

S. J. R. 76. Relative to; The naming of Senate Bills 138, 139, and 140.

Also:

S. J. R. 77. Relative to; The naming of Senate Bill 552.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills, begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 138. To amend Section 213 of Title 26, 1940 Code, as amended by Act Number 310 of the 1943 Legislature, and as further amended by Act Number 283 of the 1945 Legislature, relating to unemployment compensation.

Also:

S. 139. To amend Section 194 of Title 26, 1940 Code, Relating to Unemployment Compensation.

Also:

S. 140. To amend Section 214 of Title 26, 1940 Code, as amended by Act No. 310 of the 1943 Legislature, relating to unemployment compensation.

Also:

S. 293. To authorize the Alabama State Board of Education to contract with Tuskegee Institute, Meharry Medical College, and any other nonsecular institutions of higher learning either within or without the state for educational services for Alabama students and for out of state aid for Alabama students attending institutions of higher learning in other states and to authorize the State Board of Education to enter into contracts and to otherwise provide for the expenditure of any appropriations made to Regional Education.

Also:

S. 539. To impose additional duties upon the county solicitor of any county having a population of not less than 23,000 nor more than 25,000 inhabitants and to increase his compensation for the performance of such duties.

Also:

S. 540. To require the tax assessor and tax collector of counties having a population of not less than 23,000 nor more than 25,000 inhabitants as shown by the last or any subsequent federal census, in addition to such duties as are now required of them by law, to act in an advisory capacity to the county board of equalization, and to investigate complaints as to assessments and make reports thereon to said board, and to provide for additional compensation of the tax assessor and tax collector of such counties, to be paid out of the general fund of such counties, on account of such extra and additional duties.

Also:

S. 542. Authorizing the board of education of any county having a population of not less than 23,000 nor more than 25,000 inhabitants, to impose additional duties on the county superintendent of education and to increase his salary to compensate him for the additional duties imposed upon him.

Also:

S. 552. To propose an amendment to the Constitution of Alabama authorizing the State of Alabama to assist in the erection and construction of hospitals within the State; and to that end to authorize the Governor of Alabama to issue and sell negotiable interest bearing bonds in the amount not to exceed \$2,000,000 in addition to the bonds heretofore authorized; and to provide for the prompt and faithful payment of the principal and interest on

such bonds and for the retirement thereof; and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the regular session of the Legislature.

Also:

S. 574. To amend Act No. 569, General Acts of 1947, Page 402, approved October 2, 1947, "To fix and prescribe the salaries to be paid the Circuit Judges by the State of Alabama and to provide for the supplementing of said salaries by the counties of certain judicial circuits," and to provide for the repeal of all acts, all laws and parts of laws in conflict herewith.

Also:

S. 613. Relating to the Board of Education of Tuscaloosa County; authorizing the board to expend public school funds to provide office supplies and equipment for use in the office of the Superintendent of Education.

Also:

S. 615. To authorize the governing body of any municipality in the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, to provide park and recreational facilities and services for such city; to provide for the creation, establishment, maintenance and support of a park and recreation board in any such municipality; to provide for the appointment of such board and to define its duties and powers, and the power and authority of any such municipality with respect to furnishing park and recreational facilities, independently or jointly with the county or city or county school board.

Also:

S. 616. To provide for the name and number of members of the governing body of all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; to provide for the designation of the members of the governing body of all such cities; to provide that in all primary and general elections for nomination or election of members of the governing body in such cities, each such position to be filled shall be designated separately and shall appear separately on all ballots in such elections; to provide that each candidate for nomination or election in such election shall designate the position to which he is seeking nomination or election; to provide the manner in which the names of candidates shall appear on

ballots in such elections; and to repeal all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Also:

S. 572. To impose extra, new, and additional duties upon the Attorney General of Alabama, and his assistants; to provide additional compensation for the performance of the extra, new, and additional duties hereby imposed upon them; and to provide for the payment of such additional compensation.

Also:

S. 617. Relating to all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; providing the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general, local or special, in conflict with the provisions hereof.

Also:

S. 618. Prescribing the compensation to be paid to members of the governing body in all cities in the State of Alabama having a population of not less than 50,000 people nor more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, where such cities operate under the commission form of government; providing a method of payment of such compensation and providing the time when this Act shall become effective; and repealing all laws or parts of laws in conflict with the provisions hereof.

Also:

S. 619. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 50,000 people and not more than 78,500 people, according to the last or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retire-

ment system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Also:

S. 620. To amend Act No. 200, which passed the Senate on June 28, 1949 and passed the House on July 6, 1949, said Act being entitled "An Act to propose an amendment to the Constitution of Alabama 1901, to authorize the governing body of Marion County, Alabama, to issue bonds, warrants, or other evidences of indebtedness and to pledge in payment of the principal and interest due upon any such bonds, warrants, or other evidences of indebtedness, only the proceeds derived, or to be derived, from any special county privilege, license or excise taxes heretofore or hereafter levied and collected within Marion County, Alabama, for the sole and exclusive purpose of constructing, equipping, operating, maintaining or improving public hospitals or related hospital or health facilities, including clinics, nursing homes, public health centers and laboratory facilities, or for such other public purposes of any kind and description as in the judgment of the

governing body of the county of Marion is meet and proper, and to order an election by the qualified electors of the State of Alabama upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature."

Also:

S. 501. To amend sections 1 and 4 of an act approved May 28, 1943 providing for the placing of the Judge of Probate of Morgan County, Alabama on a salary, being Act No. 70 of the regular session of the Legislature of 1943.

Also:

S. 305. To amend Section 713 of Title 51 of the Code of Alabama (1940), which relates to the State Department of Revenue.

Also:

S. 401. To authorize housing authorities created pursuant to Title 25 of the Code of Alabama of 1940, to make payments to local public bodies, to engage in housing research and studies and make the results thereof available to the public, and the building, housing and supply industries; granting additional powers to county and regional housing authorities in connection with rural housing; and authorizing housing authorities to enter into certain agreements to secure Federal contributions.

Also:

S. 402. To authorize housing authorities to clear blighted areas and prevent blight; to acquire real property and make it available for redevelopment by private enterprise or by public agencies in accordance with approved redevelopment plans; and to confer necessary powers on housing authorities, cities and other public bodies, and to make obligations issued by housing authorities in connection with redevelopment projects legal investments and security for deposits; to enable the advance preparation of projects so they can provide jobs and stimulate industry when necessary in the period of reconversion; and to authorize the creation of an Advisory Board to housing authorities composed of representatives of business, real estate, home financing and other interests.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of

which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

August 26, 1949

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since the last meeting of the Legislature, I have made numerous appointment to the various State boards which are subject to your confirmation. These appointments are as follows:

STATE BOARD OF EDUCATION:

Honorable Rankin Fite	Hamilton
From the Seventh District, to serve for a term of six years, expiring October 1, 1953.	
Honorable John M. Snodgrass	Scottsboro
From the Eighth District, to serve for a term of six years, expiring October 1, 1953.	

BOARD OF TRUSTEES OF THE ALABAMA INSTITUTE FOR THE DEAF AND BLIND:

Honorable L. E. Clifford	Talladega
From the Fourth District, to serve for a term of six years, expiring November 28, 1954.	

STATE BOARD OF AGRICULTURE AND INDUSTRIES:

Honorable Fuller Kimbrell	Fayette
For the term expiring in January, 1951.	

ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD:

Honorable William P. Screws, Chairman	Montgomery
For the term expiring February 10, 1955.	
Honorable Knox McRae, Member	Decatur
For the term expiring February 10, 1953.	
Honorable Jap Bryant, Member	Bessemer
For the term expiring February 10, 1951.	

STATE PERSONNEL BOARD:

Honorable C. L. Bishop	Cullman
For the term expiring March 2, 1955.	

STATE BOARD OF PARDONS AND PAROLES:

Honorable Glen D. Vinson	Sylacauga
For the term expiring September 15, 1953.	

BOARD OF TRUSTEES FOR THE STATE TRAINING SCHOOL FOR GIRLS:

Honorable James H. Faulkner	Bay Minette
From the Second District succeeding Mrs. G. R. Swift, resigned, for the term expiring May 29, 1951.	
Dr. A. E. Bayles	Anderson
From the Eighth District, for the term expiring May 29, 1953.	
Mrs. J. H. Kelly	Haleyville
From the Seventh District, for the term expiring May 29, 1953.	
Honorable E. L. Roberts	Gadsden
From the Fifth District, for the term expiring May 29, 1953.	
Judge W. C. Warren	Tuscaloosa
From the Sixth District, for the term expiring May 29, 1953.	
Mrs. Evelyn Hicks	Birmingham
From the Ninth District, for the term expiring May 29, 1955.	
Honorable Jerome Phillips	Birmingham
From the Ninth District, for the term expiring May 29, 1955.	
Mrs. H. C. Ryding	Birmingham
From the Ninth District, for the term expiring May 29, 1955.	
Honorable W. T. Wilson, Jr.	Birmingham
From the Ninth District, for the term expiring May 29, 1955.	

BOARD OF APPEALS FOR THE DEPARTMENT OF INDUSTRIAL RELATIONS:

Honorable E. C. Burns, Representing Employers	Florence
Succeeding Richard Hail Brown, resigned, for the term expiring March 28, 1951.	
Honorable Eugene M. Wells, Representing Employees	Birmingham
For the term expiring March 28, 1955.	

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the various State boards, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

August 26, 1949

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you for your confirmation, the names of the Trustees of the Department of Archives and History, who were elected

by the Board at its last annual meeting, April 5, 1949, as certified to me by the Director of the Department of Archives and History, copy of which is hereto attached.

Respectfully,

JAMES E. FOLSOM,
Governor.

Governor James E. Folsom
Executive Office
The Capitol

Dear Governor Folsom:

According to the law governing the Department of Archives and History, the Board of Trustees must be confirmed by the Senate. I hand you herewith the list elected to vacancies by the Board at its last annual meeting, April 5, 1949:

FIFTH DISTRICT:

Hon. L. B. Rainey.....Gadsden
Term expires January 1, 1955.

SEVENTH DISTRICT:

Hon. Walter Will Bankhead.....Jasper
Term expires January 1, 1955.

EIGHTH DISTRICT:

Hon. George Bliss Jones.....Florence
Term expires January 1, 1955.

NINTH DISTRICT:

Hon. Hugh Morrow.....Birmingham
Term expires January 1, 1955.

Will you please transmit this list to the Senate with request that the elections be confirmed.

Respectfully,

(Signed) MARIE B. OWEN,
Director.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to confirmation of the Trustees of the Department of Archives and History, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith hand you a message from the Governor.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

August 26, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

On May 21, 1948, I appointed, subject to confirmation by the Senate, Colonel Walter J. Hanna as Brigadier General of the Line assigned as Assistant Division Commander, Thirty-first Infantry Division, Alabama National Guard.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment of Brigadier General, Alabama National Guard, was read and referred to the Standing Committee on Rules.

MOTION TO RECONSIDER

Mr. Hardwick moved that the Senate reconsider the vote by which the bill, H. B. 719, was lost on the last Legislative Day.

Mr. Clayton moved that the motion of Mr. Hardwick to reconsider the vote by which the bill, H. B. 719 was lost, be postponed until the next Legislative Day, to be unfinished business on reaching Motions and Resolutions in Order of Business.

Mr. Fite moved to lay on the table the motion to postpone and the motion to table was lost.

Yeas 14; Nays 17.

Yeas:

Messrs.:	Hardwick	Kimbrell	Patton	
Burnside	Harvey	Lamberth	Russell	
Fite	Howle	Langan	Summerlin	
Gaither	Kendall	Owens		—14

Nays:

Messrs.:	Coleman	Hooton	Perry	
Allen	Glover	Hughes	Quarles	
Boutwell	Golson	Lowe	Swift	
Cater	Gulledge	Patterson	Wright	
Clayton	Henderson			—17

The question recurred on the motion of Mr. Clayton, and said motion to reconsider was postponed until the next Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted Senate amendment to the following Bills:

H. 769. To regulate further the use of the highways of the State by pedestrians and vehicles; prescribing equipment of certain vehicles and

further prescribing rules and regulations governing traffic and the operation of vehicles on the highways; providing the method of enforcing this Act; and prescribing penalties for violations hereof.

Also:

H. 770. To revise Chapter 1 of Title 36 of the Code of Alabama (1940), which relates to motor vehicles and more particularly to the rules of the road, by amending Sections 1, 16, 17, 19, 20, 26, 27, 38, 39, 40, 41, 42, 46, 48, 51, 52, 55, and 56, and repealing Sections 30, 43, and 57.

Also:

H. 771. To revise Chapter 3 of Title 36 of the Code of Alabama (1940), which relates to motor vehicles and more particularly to the measurement of vehicles, loads on vehicles, certain equipment required of vehicles and regulations relative to the size and weight of vehicles, by amending Sections 78, 85, 87, and 88.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted Senate amendment to the following bill:

H. 995. To propose an amendment to the Constitution of Alabama providing for levying and collecting in the school tax district of the City of Huntsville in Madison County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes, and providing for the issuance of bonds to be retired with the funds arising from such tax; ordering an election upon the proposed amendment to be held on the date of the first special or general election held following the expiration of three months after the final adjournment of the present session of the Legislature.

R. T. GOODWYN, JR.,
Clerk.

REPORTS OF COMMITTEES

Mr. Patterson, Chairman of the Standing Committee on Education reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ramey:

H. 860. To amend Section 68 of Title 52 of the Code of Alabama (1940), which relates to the compensation of the members of county boards of education.

Mr. Wright, Chairman of the Standing Committee on Public Health reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dumas and Merrill:

H. 1021. To provide for the designation of a hospital association or board heretofore or hereafter organized under the provisions of Act No. 211, General Acts of Alabama, approved July 7, 1945 (Acts of 1945, page 330) or under the provisions of Act No. 46 adopted by the 1949 Regular Session of the Legislature of Alabama approved June 2, 1949, as the agency of the county to acquire, construct, equip, operate and maintain public hospital facilities in any county in which a special county tax for public hospital purposes has heretofore or shall hereafter be authorized at an election held in the county pursuant to the provisions of any amendment to the Constitution; To provide for the payment of proceeds of the special county tax to such hospital association or board so designated; to confer authority upon such hospital association or board to anticipate the proceeds of any such special county tax required to be paid to it by the issuance of securities and to pledge for the payment of the principal and interest thereon, not exceeding 75% of the annual proceeds from said tax so paid to it; to authorize the pledge of all or any part of the revenues of such hospital association or board in payment of its securities and the mortgage of all or any part of the property, real or personal, or any interest therein of such hospital association or board as security for such payment; to provide for the sale of such securities and for the validation of said tax and of the agreements and pledge made for such securities; and to repeal Act No. 237 adopted by the 1949 Regular Session of the Legislature of Alabama and approved July 14, 1949.

Mr. Lamberth, Chairman of the Standing Committee on Public Welfare and Correctional Institutions reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dumas:

H. 167. To amend Sections 89, 90, 91, 92, and 98 of Title 34 of the 1940 Code, which relate to desertion and nonsupport.

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adams (Jefferson) et al (with amendment) (with notice and proof):

H. 1108. To supplement the Jefferson County Sewer Amendment to the Constitution of Alabama, effective on November 15, 1948, and to authorize Jefferson County to construct, improve, extend and repair sewers and sewerage treatment plants in said county and to levy and collect sewer rentals or sewer service

charges as provided in such Amendment; to provide for a Board of Arbitration which shall have jurisdiction to review or revise rates or rentals or service charges fixed by said County Commission, provide for the method of appealing to said Board of Arbitration, and to provide the power and authority of said Board of Arbitration with respect to appeals to said Board of Arbitration from orders of the said County Commission fixing rentals or service charges; to authorize the collection of such rentals or charges either by suit against the occupant of the parcels of property charged therewith or by foreclosure of the lien of such rentals or charges upon such parcels of property; to authorize the county and the towns and cities within said county to make contracts for the disposal and treatment of sewerage originating in said towns and cities; to authorize the county commission of said county to enforce payment of such rentals or charges by cutting off connections with the county's sewer system and with any water distribution system supplying water to the parcels of property liable for such rentals or charges; to require cities, towns or other public corporations, and to permit other persons, to cut off connections of such parcels of property with their water distribution systems when requested by the county commission; to require cities, towns or other public corporations, or other persons to furnish information as to water furnished to parcels of property served by the county's sewer system; to provide for the method of foreclosing any assessments which remain unpaid, and to provide for the redemption from such assessment sales; and to authorize the county to make covenants or agreements with holders of bonds issued under the Amendment relative to the use of the proceeds of such bonds, the maintenance and operation of the county's sewer system, the charging and disposition of such revenues and other matters affecting the adequacy and enforcement of the lien of such bonds upon such rentals and charges.

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Denton (with notice and proof):

H. 1091. To abolish the Commissioners Court of Blount County, Alabama, and to establish in lieu thereof the Board of Revenue of Blount County, Alabama; to provide that said Board of Revenue shall consist of a chairman and four other members; to designate and name the first members of said Board and to provide for election of their successors; to fix the terms of office of the members of said Board; to prescribe the qualifications of the members of said Board; to divide the county into four districts; to prescribe and fix the terms and sessions of said Board and quorum thereof; to prescribe, fix and limit the powers, jurisdic-

tion, duties and authority of said Board; to provide that all general laws which may hereafter be enacted affecting county governing bodies shall apply to said Board; to provide for and fix the compensation of the members of said Board; to provide for the filling of any vacancies that may occur on said Board.

By Mr. Beatty et al:

H. 1031. To provide for the combination of the Offices of License Inspector or Department of Revenue or any like office or department and the Office of Commissioner of Licenses or any like office or department in any county having a population of 400,000 or more according to the last or any succeeding Federal Census whenever the Offices of License Inspector or Director of Revenue or Commissioner of Licenses in any such county shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law and to provide for the salary of such Director and to provide for the employees of such Department of Revenue.

By Mr. Kaul et al:

H. 918. To amend Section 37 of Act No. 573 of the regular session of the Legislature of Alabama approved September 19, 1939, (General Acts of Alabama of 1939, Page 910 Et Seq.) as said Section 37 is set forth in Section 1 of Act No. 307 of the Regular Session of the Legislature of Alabama, approved June 28, 1943, which said Act No. 307 re-enacted and amended said Act No. 573, and which said Section 37 as set forth in Section 1 of said Act No. 307 provides as follows: "Section 37: No person employed after the effective date of this Act by any City subject hereto shall be entitled to the benefits nor subject to the burdens hereof. All benefits under the provision of this Act shall be reduced each month by an amount which the beneficiary receiving the same received during the then last previous month as salary, wages or compensation from any town, city, county or The State of Alabama".

By Mr. Denton (with notice and proof):

H. 1092. To amend Sections 4 and 8 of an Act entitled "To establish an inferior court in Blount County, Alabama, with concurrent jurisdiction of Justice of the Peace Courts in said County and to define the jurisdiction and powers of said Court and the Judge thereof; to provide for the execution of processes of said Court and the operation thereof, to provide for the effect of recorded judgments of said Court, to provide for the appointment, election and term of office, qualifications and compensations of the judge thereof, and to provide the place and times of the holding of such Court," approved July 17, 1931.

By Mr. George (with notice and proof):

H. 1093. To provide for the redistricting of the Commissioner's Districts of Randolph County, Alabama.

By Messrs. Brown and Ward (with notice and proof):

H. 1104. To fix the compensation of the Tax Assessor of Lee County for assessing and of the Tax Collector of Lee County for collecting municipal ad valorem taxes in those municipalities in Lee County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

By Messrs. Brown and Ward (with notice and proof):

H. 1103. Abolishing the fine and forfeiture fund of Lee County: providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

By Messrs. Snodgrass and O'Neal (with notice and proof):

H. 1095. To authorize the governing body of Jackson County, Alabama, to call an election in said County for the purpose of determining whether or not an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever, gasoline or other liquid motor fuel or devices or substitutes therefor in said County shall be imposed; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such County to make reasonable rules and regulations for the collection of such tax, and to provide the enforcement of this Act and to fix the penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of such tax.

By Mr. Cox (with notice and proof):

H. 1094. To amend Act Number 162, H. B. 152 approved August 21, 1923 (Local Acts of Alabama, 1923 pp. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary, and to provide for the election of the County Treasurer of Chilton County, Alabama by the qualified voters of said County."

By Mr. Cox (with notice and proof):

H. 1101. For the relief of O. B. Martin and Bertha Martin, and to authorize, empower and direct the Court of County Commissioners of Chilton County, Alabama, and the Treasurer of Chilton County, Alabama, to pay to the said O. B. Martin and Bertha Martin, the sum of \$104.00 out of the general fund in the Treasury of said County, not otherwise appropriated, in order to reimburse or compensate the said O. B. Martin and Bertha Martin for damage done to a store building owned by them in Chilton County, Ala-

bama, by the operation of a caterpillar patrol owned by Chilton County, Alabama, and being operated in the grading and improvement of its roads.

By Messrs. Callahan and Shelton (with notice and proof):

H. 1088. To impose extra, new and additional duties upon the members of the Board of Revenue of Tuscaloosa County, Alabama, other than the Probate Judge, and to provide additional compensation for the performance of such duties, and to provide an effective date for this act and to repeal all laws, and parts of laws in conflict with this act.

By Messrs. Ingalls and Sightler (with notice and proof):

H. 1105. To amend Section 565 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

By Messrs. Callahan and Shelton:

H. 1087. To amend Chapter 9 of Title 15 of the Code of Alabama (1940), as amended by Act No. 199, H. B. 233, approved July 8, 1949 (General Acts of Alabama, 1949), which relates to bail by defining the power, authority, and jurisdiction of the courts in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in this State having a population of not less than seventy-five thousand (75,000) and not more than one hundred thirteen thousand (113,000) inhabitants according to the last or any subsequent Federal census; and to authorize the courts in such counties to remit, in whole or in part, the penalty of such bail bonds as the ends of justice may, unto the court, appear to require.

By Messrs. Ingalls and Sightler (with notice and proof):

H. 1106. To alter, rearrange and extend the boundary lines and corporate limits of the City of Montgomery, in Montgomery County, Alabama; and to prescribe the time when this Act shall become effective.

By Messrs. Ingalls and Sightler (with notice and proof):

H. 1107. To amend Section 561 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

By Mr. Ingalls (with notice and proof):

H. 1109. To refund to Mrs. W. G. Yelverton by the State of Alabama and the County of Montgomery, taxes heretofore paid by her to the Tax Collector of Montgomery County erroneously.

By Mr. Bennett:

H. 1110. To amend Chapter 9 of Title 15 of the Code of Alabama (1940), as amended by Act No. 199, H. B. 233, approved July 8, 1949 (General Acts of Alabama, 1949), which relates to bail by defining the power, authority, and jurisdiction of the courts in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties

in this State having a population of not less than fifty-six thousand (56,000) and not more than sixty-four thousand (64,000) inhabitants according to the last or any subsequent Federal census; and to authorize the courts in such counties to remit, in whole or in part, the penalty of such bail bonds as the ends of justice may, unto the court, appear to require.

By Mr. Dyar (with notice and proof):

H. 1090. To amend Section 1 of an act entitled "To provide an expense allowance for the Superintendent of Education of Marion County," approved June 2, 1949.

By Mr. Malone (with notice and proof):

H. 1086. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama.

By Mr. Bush (with notice and proof):

H. 1102. Providing for the improvement, surfacing, and maintenance of certain roads and streets in Macon County: Authorizing the governing body of the City of Tuskegee to improve, surface, and maintain any roads or streets lying outside the corporate limits but within the police jurisdiction of the City of Tuskegee if the abutting property is assessed for the cost thereof; and providing the procedure for such assessment.

By Mr. Kaul et al:

H. 1100. To provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000 or more according to the last or any future Federal census, and for the payment of benefits to employees of such counties, and without limiting the generality and comprehensiveness of the foregoing portion of this title, to amend Section 3 of that certain Act of the Legislature entitled "An Act to provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000 or more according to the last or any subsequent Federal census, and for the payment of benefits to employees of such counties", approved July 6, 1945 (General Acts of 1945, page 531) as heretofore amended by that certain Act of the Legislature entitled "An Act to amend Section 3 of Act No. 328, General Laws of Alabama, approved July 6, 1945 General Acts pp. 531 et seq.", approved October 9, 1947, Act No. 679 General Acts of 1947; and to amend Section 9 of that certain act of the Legislature entitled "An Act to provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000 or more according to the last or any subsequent Federal census, and for the payment of benefits to employees of such counties", approved July 6, 1945 (General Acts of 1945, page 531) as heretofore amended by that certain Act of the Legislature entitled "An Act to amend Section 8 and 9 of an Act of the Legislature en-

titled 'To provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000, or more, according to the last or any future Federal census, and for the payment of benefits to employees of such counties', approved September 30th, 1947, Act. No. 508, General Acts of 1947.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment and it was read a second time and placed on the calendar, to-wit:

By Messrs. Faulk, Taylor (Autauga) and Larkins (with amendment):

H. 592. To amend Section 94, Title 51, Code of Alabama, as amended which relates to the term of service and compensation for members of the county board of equalization, and to provide for a chairman.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Thompson (Crenshaw):

H. 1059. To amend Section 124, Title 51, Code of Alabama 1940, providing for salaries of the legal counsel and the assistant counsel of the Department of Revenue.

By Mr. Gulledge:

S. 461. To provide further for vocational education and making appropriations for that purpose.

By Mr. Nelson:

H. 911. For the relief of Henry Boyd. Whereas, Henry Boyd, while in the course of his employment by the State Highway Department as a convict guard at a road camp was injured in an accident in the vicinity of Heflin in Cleburne County in 1942, his leg being fractured in the knee joint, and as a result thereof he is permanently crippled, therefore.

By Mr. Malone:

H. 495. To amend Section 13 of Title 32 of the 1940 Code, which relates to the compensation of legislative interim committees and the employees thereof.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate without recommendation, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lovelace et al (without recommendation):

H. 1007. To make an additional appropriation to the Department of Public Welfare of \$468,711.20 for each of the fiscal years ending September 30, 1950, and September 30, 1951, conditional upon the condition of the State Treasury and the approval of the Governor.

By Mr. Lovelace et al (without recommendation):

H. 395. To appropriate the sum of \$370,000.00 to the Department of Corrections and Institutions out of any moneys in the State Treasury not otherwise appropriated and to provide for the expenditure thereof.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute and it was read a second time and placed on the calendar, to-wit:

By Mr. Harris (with substitute):

H. 100. To amend Section 567 of Title 52, Code of Alabama 1940.

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Roberts:

H. 827. To amend "An Act to abolish bills of exemptions in the Circuit Court and courts of like jurisdiction and all other courts of record having a full time Court Reporter and from which appeals lie directly to the Court of Appeals or the Supreme Court of Alabama in cases at law, and to provide for the evidence to be transcribed and made a part of the record and for assignments of error on the record," approved July 12, 1943.

By Messrs. Pinkston and Ingalls:

H. 826. To amend Section 17, Title 17, of the Code of Alabama for 1940.

Mr. Clayton, Chairman of the Standing Committee on Privileges and Elections reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Patterson:

S. 79. To amend Section 38 of Title 17 of the Code of Alabama (1940), as amended by Act No. 482, H. B. 71, approved September 25, 1947, relating to lists of qualified electors.

By Messrs. Morring, Vann and Barnett:

H. 221. To amend Section 107 of Title 17 of the Code of Alabama (1940), which relates to instruction and assistance for voters at the polls where voting machines are used.

By Messrs. Morring, Vann and Barnett:

H. 220. To amend Section 102 of Title 17 of the Code of Alabama (1940), which relates to preliminaries to opening the polls where voting machines are used.

By Messrs. Morring, Vann and Barnett:

H. 218. To fix the penalty for election and primary election officials failing to serve unless excused as provided herein, in counties in which voting machines are used; and to provide for filling vacancies in the offices of election officials in such counties.

By Messrs. Morring, Vann and Barnett:

H. 216. To provide further for furnishing information of convictions to boards of registrars by requiring justices of the peace, notaries public ex officio justices of the peace, and clerks of all county courts or other courts of record to report the names of persons convicted of crimes disqualifying them from voting; providing a penalty for violations of the Act.

Mr. Glover, Chairman of the Standing Committee on Fish and Game reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Sellers:

H. 676. To provide for County and State Fishing Licenses for persons using a rod and reel and artificial bait. To provide for the cost of said licenses. To provide for the disposition of the revenue derived from such licenses. To provide how the licenses shall be issued and who shall issue same. To provide a penalty for the violation of this Act. To repeal all laws in conflict herewith. To repeal Sections 38 and 41 of Title 8 of the Code of Alabama of 1940. To provide when this Act shall become effective.

BILLS ON THIRD READING

The Bill:

S. 658. To make an additional appropriation to the Legislative Reference Service of Alabama for each of the fiscal years 1949-50 and 1950-51.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 24; Nays 0.

Yeas:

Messrs.:	Glover	Howle	Mize
Allen	Gulledge	Hughes	Owens
Boutwell	Hardwick	Kendall	Patterson
Clayton	Harvey	Kimbrell	Perry
Coleman	Henderson	Lamberth	Russell
Fite	Hooton	Langan	Summerlin
Gaither			

—24

Nays: —0

The Bill:

S. 657. To make an additional appropriation to the Division of Control and Accounts of the State Department of Finance for the fiscal years ending September 30, 1950 and September 30, 1951.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gaither	Hooton	Mize
Allen	Glover	Howle	Owens
Boutwell	Golson	Hughes	Patterson
Cater	Gulledge	Kendall	Perry
Clayton	Hardwick	Lamberth	Russell
Coleman	Harvey	Lowe	Summerlin
Fite	Henderson		

—25

Nays: —0

The Bill:

S. 653. To make an additional appropriation to the Division of Service of the State Department of Finance for the fiscal years ending September 30, 1950 and September 30, 1951.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 27; Nays 0.

Yeas:

Messrs.:	Gaither	Howle	Owens
Allen	Glover	Kendall	Patterson
Boutwell	Gulledge	Kimbrell	Perry
Burnside	Hardwick	Lamberth	Russell
Cater	Harvey	Langan	Summerlin
Clayton	Henderson	Lowe	Swift
Coleman	Hooton	Mize	Wright

—27

Nays: —0

The Bill:

S. 651. To make an additional appropriation to the Department of Health of Alabama for each of the fiscal years 1949-50 and 1950-51.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 28; Nays 0.

Yeas:

Messrs.:	Golson	Hughes	Owens
Allen	Gulledge	Kendall	Patterson
Boutwell	Hardwick	Kimbrell	Perry
Burnside	Harvey	Lamberth	Russell
Cater	Henderson	Langan	Summerlin
Clayton	Hooton	Lowe	Swift
Coleman	Howle	Mize	Wright
Gaither			

—28

Nays:

—0

The Bill:

S. 432. To appropriate the sum of Fifty Thousand (\$50,000.00) Dollars annually for each of the fiscal years 1950 and 1951 for the purpose of carrying out the provisions of Act No. 523, approved September 30, 1947, as amended, creating and establishing a Water Improvement Advisory Commission.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the bill, to-wit:

AMENDMENT TO SENATE BILL 432

Senate Bill No. 432 be and the same is hereby amended in the caption and body thereof as follows:

By striking the words and figures fifty thousand (\$50,000.00) dollars wherever said words and figures are used in the caption and body of said bill and by substituting therefor the words and figures twenty thousand (\$20,000.00) dollars.

Which was adopted.

Yeas 23; Nays 1.

Yeas:

Messrs.:	Gulledge	Hughes	Owens
Allen	Hardwick	Kendall	Patterson
Boutwell	Harvey	Kimbrell	Perry
Burnside	Henderson	Lamberth	Russell
Cater	Hooton	Langan	Summerlin
Clayton	Howle	Lowe	Wright

—23

Nay: Mr. Coleman

—1

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Hardwick	Kendall	Patterson
Allen	Harvey	Kimbrell	Quarles
Boutwell	Henderson	Lamberth	Russell
Burnside	Hooton	Langan	Summerlin
Clayton	Howle	Lowe	Swift
Gulledge	Hughes	Mize	Wright

—23

Nays:

—0

The Bill:

S. 652. Creating the office of County Engineer for Winston County, Alabama; prescribing his qualifications, term of office and salary.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Mize
Allen	Fite	Hughes	Patterson
Boutwell	Gaither	Kendall	Summerlin
Burnside	Golson	Kimbrell	Swift
Cater	Hardwick	Lamberth	Wright
Clayton	Harvey		

—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Dumas:

H. 1123. To apply in all counties having a population of 400,000 or more according to the last or any succeeding Federal census and to provide for and fix the minimum age at which children shall be entitled to attend the public schools therein.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1123. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 474. To apply only in counties having a population of 400,000 or more according to the last or any succeeding Federal Census; To provide for the seizure and forfeiture of any automobile or other vehicle which is knowingly used for the transportation of gaming devices, lottery slips, tickets or equipment and other lottery or gaming machinery or paraphernalia or papers.

Also:

H. 604. To authorize and create an additional Judge of the Eleventh Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other circuit judges of the State, to provide for the designation of each of the two offices of Circuit Judge of said circuit by number and to provide for the salary of said judges.

Also:

H. 964. To amend Section 342 of Title 37 of the Code of Alabama (1940) which relates to the powers of municipalities in regard to the acquisition of public improvements, as amended by Act No. 66, General Acts of Alabama, approved June 14, 1949.

Also:

H. 1010. To propose an amendment to the Constitution of Alabama relative to a special school district, school district taxes, and the construction of a school building in Lawrence County.

Also:

H. 1012. To amend Section 3 and repeal Section 4 of an act entitled "An Act to provide for dividing Butler County into four commissioner districts; to provide for the election of a commissioner for each of such districts; to provide for the tenure of office of such commissioners and to provide the compensation of the commissioners so elected," approved June 23, 1945.

Also:

H. 1013. To alter and extend the boundaries of the City of Greenville: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Greenville for their approval or rejection of such alterations and extension.

Also:

H. 1020. To provide for and require the reidentification of each qualified elector in all counties in the State having a population of 400,000 or more according to the last or any subsequent Federal Census; and to require the Board of Registrars in any such county to take the necessary action to purge the lists of the qualified electors in any such county and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a wilfully false statement in connection with his reidentification shall be guilty of perjury.

Also:

H. 1023. To amend Chapter 9, Title 15 of the Code of Alabama of 1940 relating to Bail, as amended by Act No. 199 July 8, 1949, by defining

the power and authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or Bail Bonds, by the failure of the defendant to appear as required, in all counties in this State having a population of Seventy-Two Thousand (72,000) inhabitants, or more, according to the last or any subsequent Federal census; and to authorize the courts in such counties to remit, in whole or in part, the penalty of such Bail Bonds as the ends of justice may, unto the court, appear to require.

Also:

H. 1041. To amend an Act entitled "An Act to abolish the Court of County Commissioners of Covington County, and to create a Court of Record to be called "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their term of office; to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond payable to the county, for the performance of their duties; to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed.

Also:

H. 1042. To require the Board of Revenue of Lawrence County, Alabama, or other like governing board of said county, to pay for the publication of the notice of each and every local bill heretofore advertised for the present session of the Legislature of Alabama, or which may hereafter be advertised for the present session or any subsequent session of the Legislature of Alabama, for or which applies alone to the County of Lawrence, and out of any money in the treasury of said county not otherwise appropriated; provided the notice so published is signed by the Representative of said county or by the State Senator from the Second Senatorial District.

Also:

H. 1043. To authorize the Tax Collector of Marengo County to employ, at public expense, a clerk or assistant to aid him in the performance of his official duties; to fix the compensation to be paid to such clerk or

assistant; and to provide for the payment of the same out of the general fund of Marengo County.

Also:

H. 1048. Relating to Blount County: To amend Section 1 of Act No. 183, H. 363, approved March 1, 1937 (Local Acts of Alabama, Extra Session 1936-37, page 71) entitled "An Act To allow the Register in Chancery of the Circuit Court of Blount County, Alabama, a clerk; to provide for the appointment and tenure of office of said clerk to fix the salary of said clerk and to make the same payable out of the general funds of Blount County in monthly installments."

Also:

H. 1050. For relief of E. L. Moore and to appropriate \$100.00 out of the Road Fund of Talladega County for the payment to the said E. L. Moore for damages occurring to property belonging to him during the year 1948.

Also:

H. 1056. To extend and enlarge the boundaries of the corporate limits of the City of Cullman, Alabama.

Also:

H. 1060. To amend Act No. 438, H. 856, approved September 25, 1947, (Local Acts of Alabama, 1947, page 296) entitled "An Act To authorize the City of Florence, Alabama, to establish a City Employees Retirement Fund and to provide for such fund and its sources, management, and administration; to provide for a board of trustees for such fund and their duties, power, and authority; to provide for the retirement and for reinstatement of active or retired members of such departments and payment of benefits provided for; to provide for payment of said trustees; to provide for appeals from rulings of the Board of Trustees."

Also:

H. 1063. To amend Section 81 of Title 51 of the Code of Alabama (1940), which relates to the valuation of real property assessed for taxes in counties having a population of 200,000 or more.

Also:

H. 1064. Authorizing the governing body of any county having a population of not less than 32,000 and not more than 42,000 inhabitants and two courthouses to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county.

Also:

H. 52. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, and for the interest on the public debt, and for the public schools.

Also:

H. J. R. 145. Relative to H. B. 487 being known as the McGowin and Mize Bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a

two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Snodgrass:

H. J. R. 149. BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today that they adjourn to meet again on Friday, September 2nd, 1949.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 149, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to House Bill 977. Said report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE

To the Legislature of Alabama:

Your Conference Committee heretofore appointed on the disagreement of the two Houses to the Senate Amendment to the bill, H. 977, begs leave to report as follows:

That the Senate recede from its amendment and that the following amendment be adopted by both Houses and as thus amended both Houses pass the bill:

By striking therefrom the words "official fidelity bonds" where the same appears in the second paragraph of Section 6 of said bill and substituting in lieu thereof the words "official bond".

Further amend House Bill 977 by striking the period at the end of Section 13 thereof, substituting a comma therefor and adding the following:

"provided, however, that the aggregate liability of the surety to all persons so damaged shall, in no event, exceed the sum of said bond."

By striking and deleting therefrom Section 16 and renumbering Sections 17, 18, 19 and 20 as Sections 16, 17, 18 and 19, respectively.

By inserting the word "is" immediately following the word "certificate" and immediately preceding the word "in" in the sixth line of Section 7 as amended.

By substituting the word "no" for the word "one" where it appears in the sixteenth line of Section 3, making it read "no member" instead of "one member".

Amend Section 7, line eighteen of the third paragraph by striking therefrom the words "in Alabama" and inserting in lieu thereof the following words "under the general laws of the State of Alabama,"

Amend sub-section (F) of Section 15 by adding thereto the following: "provided, however, a permit has been obtained from the municipality for such installation where the same is required by municipal ordinance."

HUGH KAUL,
LAWRENCE DUMAS, JR.,
JOS. C. SULLIVAN,
THOMAS JOHNSTON, III,
J. G. ADAMS, JR.,
Conferees on the Part of the
House.

JOSEPH N. LANGAN,
ALBERT BOUTWELL,
SILAS D. CATER,
HENRY H. MIZE,
BEN GLOVER,
Conferees on the Part of the
Senate.

The vote being: Yeas 61; Nays 0. And said bill:

H. 977. To apply in all counties of this State having a population of not less than 140,000 according to the last or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to provide for the appointment of the members of said Plumbers Examining Board and their term of office; to provide for the payment of compensation to the members of said Board and the employees thereof, and to provide for the payment of expenses incurred by the members of said Board and its employees; to define the powers conferred upon and duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and certificate fees; to empower the said Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this Act.

as amended by the report of the Conference Committee was again read at length and passed by a vote of: Yeas 61, Nays 0.

And said bill, together with the report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND CONFERENCE REPORT

On motion of Mr. Langan, the Senate concurred in and adopted the foregoing Report from the Committee on Conference, on the disagreement of the two Houses on the Senate amendment to the bill H. B. 977 the title of which is set out in the foregoing Message from the House.

Yeas 21; Nays 3.

Yeas:

Messrs.:	Fite	Kimbrell	Patterson	
Allen	Gaither	Lamberth	Perry	
Boutwell	Hardwick	Langan	Russell	
Cater	Harvey	Lowe	Summerlin	
Clayton	Hughes	Mize	Wright	
Coleman	Kendall			—21

Nays: Messrs. Hooton, Howle and Owens —3

And said bill, as thus amended, by the Report of the Committee on Conference, was again read at length and passed.

Yeas 24; *Nay* 1.

Yeas:

Messrs.:	Fite	Kendall	Patterson	
Allen	Glover	Kimbrell	Patton	
Boutwell	Gulledge	Lamberth	Perry	
Burnside	Harvey	Langan	Russell	
Cater	Howle	Lowe	Summerlin	
Clayton	Hughes	Mize	Wright	
Coleman				—24

Nay: Mr. Owens —1

BILL REPORTED AND RE-REFERRED

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a recommendation that said bill be re-referred to the Standing Committee on Judiciary, to-wit:

H. B. 662. To apply in all counties of this State having a population of not less than 140,000 according to the last or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to provide for the appointment of the members of said Plumbers Examining Board and their term of office; to provide for the payment of compensation to the members of said Board and the employees thereof, and to provide for the payment of expenses incurred by the members of said Board and its employees; to define the powers conferred upon and duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and certificate fees; to empower the said Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and

filing of bonds by plumbers; to provide for the collection handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this Act.

And said bill was re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Judiciary.

' REPORT FROM RULES COMMITTEE

Mr. Swift, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted upon the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 149. Relative to adjournment of the two Houses to meet again Friday, September 2, 1949.

Mr. Fite offered the following amendment to the resolution, to-wit:

AMENDMENT TO H. J. R. 149

Amend said House Joint Resolution by adding the following at the end thereof:

"Provided that members of the legislature shall only be paid for the legislative day of Friday the 2nd day of September, 1949, and provided further that such members shall receive no pay, expense allowance or other remuneration from the State of Alabama for non-legislative days intervening."

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Glover	Hughes	Owens
Boutwell	Gulledge	Kendall	Patterson
Burnside	Hardwick	Kimbrell	Patton
Clayton	Harvey	Lamberth	Russell
Coleman	Henderson	Langan	Summerlin
Fite	Hooton	Lowe	Swift
Gaither	Howle	Mize	Wright

—27

Nays:

—0

And said resolution, as thus amended, was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Wallace, Pinkston and Crocker:

H. J. R. 151. WHEREAS, the American Legion and the Veterans of Foreign Wars are patriotic organizations of national significance and whose activities promote the general welfare, and

WHEREAS, the national convention and encampment of these organizations offer excellent opportunities for advertising and publicizing the State of Alabama, and

WHEREAS, the Legislature of Alabama desires that favorable publicity be accorded the State at this convention and encampment, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. Any state agency having funds available for such purpose is hereby authorized to grant such funds to the Alabama delegations to the American Legion Convention (National) and the Veterans of Foreign Wars Encampment (National) in 1950 to be used by them at such times for the purpose of advertising the State of Alabama.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 151, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Adams (Jefferson) Beatty, Meeks and Gibson:

H. 1082. To amend Section 2 of Act No. 175 of the Acts of the Legislature of Alabama of 1943, entitled, "An Act to further define and extend the powers, authorities and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Misdemeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act," approved June 17, 1943, as amended by Act No. 165, page 57, General Acts of the Legislature of 1947, entitled, "An Act to further define and extend the powers, authority and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Misdemeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act, approved July 21, 1947.

Also:

By Mr. Evans:

H. 1113. Relating to Choctaw County: To fix, levy and to require the payment to the county of a license tax, in addition to all other taxes or licenses now required by law, of two cents (\$0.02) on each package of cigarettes, containing not more than 20 cigarettes and \$0.02 for each additional 20 cigarettes or fractional part thereof in such package sold, stored, or received, for the purpose of distribution to any person, firm,

corporation, club, or association within the county; to provide for the payment of said tax by the purchase and sale of stamps to be affixed to each package of cigarettes sold or distributed, in such county; to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this Act; to prescribe penalties and fix the punishment for the violation of any provisions of this Act; and to provide that the tax shall not be levied unless approved by a majority of the qualified electors of Choctaw County in an election held within ninety (90) days after the effective date of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to Choctaw County: To fix, levy and to require the payment to the county of a license tax, in addition to all other taxes or licenses now required by law, of two cents (\$0.02) on each package of cigarettes, containing not more part than 20 cigarettes and \$0.02 for each additional 20 cigarettes or fractional part thereof in such package sold, stored, or received, for the purpose of distribution to any person, firm, corporation, club, or association within the county; to provide for the payment of said tax by the purchase and sale of stamps to be affixed to each package of cigarettes sold or distributed, in such county; to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this Act; to prescribe penalties and fix the punishment for the violation of any provisions of this Act; and to provide that the tax shall not be levied unless approved by a majority of the qualified electors of Choctaw County in an election held within ninety (90) days after the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Choctaw County, and shall not have the effect of altering or repealing in any wise any statute now in effect, but shall be in addition to and cumulative of all laws now in effect.

Section 2. Unless the context clearly indicates a different meaning, the following words and phrases whenever used in this Act shall have the meanings respectively ascribed to them in this Section. (a) The term "person" means and includes every natural person, firm, corporation, club, partnership, company, trustee agency, or association or any agent servant, employee, or officer thereof, singular or plural. (b) The term "wholesale dealer" and "jobber" means and includes any person who sells or delivers within Choctaw County, at wholesale only, cigarettes to licensed retail dealers for the purpose of resale. (c) The term "retail dealer" means and includes every person, other than a wholesale dealer, who sells or delivers within Choctaw County any cigarettes and all persons operating under a retail dealer's license. (d) The term "dealer" means any wholesale or retail dealer as herein defined. (e) The term "storer" means any person who ships or causes to be shipped or receives cigarettes in Choctaw County, who stores the same in any manner and uses the same for any purpose other than for resale or shipment outside the county. (f) The term stamps" means the stamp or stamps by use of which the tax levied under this statute is paid. (g) The term "sale" means and includes any transfer of title or possession, or both, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, or for a consideration, or any agreement therefor, including rewards, prizes,

or premiums, of cigarettes given as a result of operation on punch boards, shooting galleries, or any other activity.

Section 3. In addition to all other taxes now imposed by law, every person who sells, stores or delivers cigarettes in Choctaw County, shall pay a license tax to the county, and a license tax is hereby fixed, created and levied in the amount of two cents (\$0.02) on each package of cigarettes containing not more than 20 cigarettes and \$0.02 for each additional 20 cigarettes or fractional part thereof in such package sold, stored, or received for the purpose of distribution or sale to any person, firm, corporation, club, or association within such county; provided, however, that when the additional license tax hereby required to be paid shall have been paid by a wholesaler or seller of cigarettes such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on each package of cigarettes. The tax levied by this Act shall be paid through the use of stamps as herein provided.

Section 4. Every person, firm, corporation, club, or association that sells or stores or receives for the purpose of distribution any cigarettes shall add the amount of the license or privilege tax levied and assessed herein to the price of the article, it being the purpose and intent of this provision that the tax levied is in fact a levy on the consumer with the person, firm, corporation, club, or association who sells or stores or receives for the purpose of distributing the cigarettes acting merely as agent of the county for the collection of the tax. The dealer, storer, or distributor shall state the amount of the tax separately from the price of the cigarettes on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price of the cigarettes. It shall be unlawful for any dealer, storer, or distributor engaged in or continuing within the county in the business for which the tax is herein required, to fail or refuse to add to the sales price and collect from the purchaser the amount due by the taxpayer on account of the tax herein provided or to refund or offer to refund all or any part of the amount collected or to absorb or advertise directly or indirectly the absorption of the tax or any portion thereof. Any person, firm, corporation, club, or association violating any of the provisions of this Section shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars or imprisoned in the county jail for not more than sixty days, or by both such fine and imprisonment; each act in violation of this Section shall constitute a separate offense.

Section 5. The County Commission, Board of Revenue, or other governing body of the county is hereby authorized and directed to have prepared and purchased stamps suitable for denoting the tax on all cigarettes. The stamps shall be delivered to the Probate Judge of said county, who shall keep on hand for sale an adequate quantity of stamps to be affixed to each package of cigarettes. Each stamp shall have inscribed thereon the words "Choctaw County Tobacco Tax," but such words need not be arranged in the foregoing order and may be abbreviated. Said stamps may be sold to the wholesale dealer by the Probate Judge at the reduced price of ninety percent of the full amount thereof, the reduced price from the full amount representing compensation to the wholesale dealer for the labor of affixing them to each package of cigarettes. All other persons except such wholesale dealers must pay the full amount of the stamps.

Section 6. Before any cigarettes shall be sold or delivered within the limits of the county by any wholesaler or dealer, such wholesaler or dealer shall affix to each package of cigarettes a stamp or stamps obtained from the Probate Judge of the county in the amount set out in this Act in payment of the license taxes imposed by this statute. Every dealer shall within one hour after the receipt of any cigarettes within the county, unless sooner offered for sale, cause stamps in the requisite amount of the tax to be affixed as hereinabove stated and cause the same to be can-

celled by writing or stamping across the face of each stamp a registered number furnished such dealer by the Probate Judge of the county. After such stamping has been begun it shall be continued with reasonable diligence by such dealer until all the unstamped cigarettes have been stamped and the stamps cancelled as herein provided, but no stamps required to be affixed to any package of cigarettes shall, after the same has been affixed as herein provided be again used in payment of any part of the tax levied under this statute. Such stamp shall be affixed to each individual package of cigarettes in such a manner that its removal will require continued application of water or steam; and in such a way that the stamp will be torn in two or mutilated when such package is opened.

Section 7. Every wholesale dealer shall at the time of selling and delivering any cigarettes into the county make a true duplicate invoice of the same which shall show full and complete details of the sale and delivery of such tobacco products and shall retain the same subject to the use and inspection of the license inspector or his duly authorized deputy for a period of three years. Wholesale and retail dealers shall also keep a record of the purchase, sale, exchange, and receipt of all cigarettes and hold all books, records, cancelled checks and all other memoranda pertaining to such purchase, sale, exchange, and receipt for the period mentioned herein subject to the inspection of the license inspector or his duly authorized deputy at all reasonable times. Any person who purchases and receives, in any manner whatsoever, any cigarettes which do not have affixed a stamp required by this statute shall within three (3) days after receipt of such cigarettes report the receipt and purchase of same to the license inspector, giving the date of purchase or receipt, the name of the person or firm from whom purchased or received, and a list describing the brand and quantity of cigarettes so purchased or received. Such report must be made by registered mail or in person. It shall be unlawful for any person to interfere or obstruct the license inspector or his deputy.

Section 8. Among others the following acts and omissions shall be unlawful: (a) It shall be unlawful for any person required by this statute to affix stamps to cigarettes to fail to affix such stamps or to fail to cancel stamps in the manner or within the time required by this statute. (b) It shall be unlawful for any person to sell, offer for sale, or deliver within the county any cigarettes to which stamps have not been affixed and cancelled as provided by this statute. (c) It shall be unlawful for any person to have in his possession or under his control a package of cigarettes not properly stamped as required by this by this Act for more than six hours after receipt of such cigarettes on the premises of such person, provided that this subsection shall not apply to cigarettes in the possession of wholesale dealers or jobbers kept for the purpose of resale or reshipment outside this county and which cigarettes are actually so resold or reshipped. (d) It shall be unlawful to manufacture, buy, sell, offer for sale, or possess, or to attempt any reproduction or counterfeit of the stamp provided for in this statute or to possess tools, implements, instruments, or materials of any kind necessary or appropriate to reproduce or counterfeit such stamps or to alter or cause to be altered any stamp herein provided for. (e) It shall be unlawful to remove from a package of cigarettes or otherwise prepare any stamp with intent to use or cause the same to be used after it has already been used; to buy, sell, or offer for sale, or give away any washed, removed, altered, or restored stamp to any person or to have in possession any such washed, or removed, or restored, or altered stamp or for the purpose of indicating the payment of any tax hereunder, to reuse any tax stamp which has heretofore been used for the payment of any tax provided in this Act, or, except as to the Probate Judge to sell any stamp provided for herein. (f) It shall be unlawful to reuse or refill with cigarettes any package from which cigarettes theretofore tax paid have been removed.

Section 9. (a) None of the provisions of this Act shall be applied in such manner as to be in violation of the commerce or other clauses of the Federal or State Constitution. (b) This statute shall not be construed to apply to cigarettes stored by a wholesale dealer for the purpose of resale or reshipment outside Choctaw County which are actually so resold or reshipped.

Section 10. The license tax required to be paid by this Act through the purchase of tobacco stamps from the Probate Judge shall be received by him and shall be paid by him into the general fund of the county to be used for general fund purposes.

Section 11. Any person violating any of the provisions of this Act, or doing any act made unlawful by the terms of this Act, shall upon conviction, be punished by a fine of not more than five hundred dollars (\$500.00) and may also be sentenced to hard labor for the County for not exceeding six months, either or both. It shall be the duty of the license inspector to enforce the provisions of this Act and to check the records of any such person subject to the license tax imposed by this Act.

Section 12. The provisions of this Act are severable. If any part is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. The tax provided by this Act shall not be levied unless a majority of the qualified electors, voting in an election, to be held in Choctaw County within ninety (90) days after the effective date of this Act on a day designated by the county governing body, shall vote in favor of the levy of such tax. On the ballot to be used at the election, the question shall be: "Do you favor the levy of the tax provided for by Act No. _____, H. _____, approved _____, 1949?" Only qualified electors of Choctaw County shall be entitled to vote at such election, notice of which shall be given by the probate judge not less than ten days before the election is to be held. If a majority of the votes cast at such election shall be in favor of the levy of the tax, the governing body of the county shall proceed immediately to levy the tax in accordance with the provisions of this Act, but if a majority shall oppose the levy of the tax such tax shall not be levied and this Act shall have no further effect.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Matt L. Blount, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, Aug. 4, Aug. 11, and Aug. 18, all in the year 1949.

MATT L. BLOUNT.

Sworn to and subscribed before me August 18, 1949.

ZACK ROGERS, JR.,
Notary Public.

Also:

By Messrs. Whitcomb and Crocker:

H. 1116. To amend Section 1 of Act No. 137, H. B. 520, approved June 16, 1945, entitled "An Act To allow the President of the County

Board of Education of Marengo County pay for not more than fifteen days in any one year and to allow the other members of the Marengo Board of Education pay for not more than twelve days in any one year, payable from the General School Funds of Marengo County, Alabama" (Local Acts of Alabama, 1945, page 79).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MARENGO

Notice is hereby given that at the 1949 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 137, H. B. 520, approved June 16, 1945, entitled "An Act To allow the President of the County Board of Education of Marengo County pay for not more than fifteen days in any one year and allow the other members of the Marengo Board of Education pay for not more than twelve days in any one year, payable from the General School Funds of Marengo County, Alabama" (Local Acts of Alabama, 1945, page 79).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 137, H. B. 520, approved June 16, 1945, entitled "An Act To allow the President of the County Board of Education of Marengo County pay for not more than fifteen days in any one year and to allow the other members of the Marengo Board of Education pay for not more than twelve days in any one year, payable from the General School Funds of Marengo County, Alabama" (Local Acts of Alabama, 1945, page 79) is amended to read: "That the members of the County Board of Education of Marengo County shall receive from the public school funds of the county ten dollars a day and their actual traveling and hotel expenses incurred in attending meetings of the Board and transacting business of the Board. The President of the County Board of Education shall not be allowed pay for more than twenty days in any one year, and the other members of the County Board shall not be allowed pay for more than eighteen days in any one year, and their expenses shall be paid in like manner as provided for the compensation of teachers."

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

7-28-4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. E. Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Democrat Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the

issues of said paper on July 28, Aug. 4, August 11, and August 18, all in the year 1949.

R. E. SUTTON.

Sworn to and subscribed before me August 18, 1949.

RUBY E. WILLIAMS,
Notary Public.

Also:

By Messrs. Molette, Givhan and Martin (Dallas):

H. 1111. Applying in cities having a population of more than 17,500 and not more than 22,500 and having a mayor-council form of city government: providing for holding a referendum to determine whether members of the city council shall be elected from wards or from the city at large.

Also:

By Messrs. Dumas, Adams (Jefferson), Beatty, Meeks and Gibson:

H. 1117. For the relief of Lura Blanche Ellard by authorizing, the Commission of the City of Birmingham, Alabama, to issue and the comptroller of said city to pay to her a warrant for Five Hundred Dollars (\$500.00) in payment for injuries and damages suffered and sustained by her on March 11, 1948, as the proximate consequence and result of the negligent operation or maintenance of a city fire truck which crashed into the building in which she was working at 3814 Clairmont Avenue in the City of Birmingham, and thereby injured the said Lura Blanche Ellard.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL ACT

Notice is hereby given under the provisions of and pursuant to Section 106 of the Constitution of Alabama of 1901 of intention to apply for the passage of and to submit to the Legislature of the State of Alabama, the following bill:

A BILL TO BE ENTITLED AN ACT

For the relief of Lura Blanche Ellard by authorizing, directing and requiring the Commission of the City of Birmingham, Alabama, to issue and the comptroller of said city to pay to her a warrant for Seven Thousand and Five Hundred Dollars (\$7,500.00) in payment for injuries and damages suffered and sustained by her on March 11, 1948, as the proximate consequence and result of the negligent operation or maintenance of a city firetruck which crashed into the building in which she was working at 3814 Clairmont Avenue in the City of Birmingham, and thereby injured the said Lura Blanche Ellard.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Commission of the City of Birmingham, Alabama, be and hereby is authorized and directed to draw or cause to be drawn a warrant on the City of Birmingham, Alabama, payable to Lura Blanche Ellard in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00) to compensate her for personal injuries suffered and damages received as a direct and proximate consequence of the negligent operation or maintenance of a firetruck of the City of Birmingham, Alabama, which was caused or allowed to crash into the building in which the said Lura Blanche Ellard was working on March 11, 1948, at 3814 Clairmont

Avenue, in the City of Birmingham, Alabama, and as a proximate consequence and result the said Lura Blanche Ellard was seriously and permanently injured, said sum of Seven thousand Five Hundred Dollars (\$7,500.00) being for the purpose of compensating her for said injuries and the comptroller of said city is hereby directed to pay said warrant to the said Lura Blanche Ellard out of such funds not otherwise appropriated.

Section 2. That this act shall become effective immediately upon its passage or approval by the Governor, or its otherwise becoming a law.
 Messenger—April 30; May 7-14-21, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of April 30, May 7, 14, 21, 1949, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
 Publisher.

Sworn and subscribed to on this the 23 day of May, 1949.

MALCOLM L. WHEELER,
 Notary Public.

Also:

By Messrs. Adams (Jefferson), Meeks, Beatty, and Gibson:

H. 1114. To amend Title 13, Section 253, Code of Alabama 1940, as amended by General Acts of the Legislature 1947, page 63, approved July 21, 1947.

Also:

By Messrs. Dumas, Beatty, Meeks, Adams (Jefferson) (by request):

H. 1132. For the relief of Joseph Franklin Yarborough.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF A PROPOSED LOCAL ACT

To Whom It May Concern:

Take notice that there will be introduced in the Legislature of Alabama, at the 1949 Regular Session, a bill in words and figures as follows, which bill the Legislature will be requested to pass:

A BILL TO BE ENTITLED AN ACT

For the relief of Joseph Franklin Yarborough.

Be It Enacted by the Legislature of Alabama:

1. That the County Commission of Jefferson County, Alabama, is authorized and directed to pay to Joseph Franklin Yarborough the sum of Three Thousand Dollars (\$3,000.00) for permanent personal injuries to his right shoulder, physical pain, mental anguish, loss of time from his

work, doctors bills, x-rays, and other medical expenses, which said injuries were received, and said medical expenses and loss of time incurred, as a direct and proximate result of the negligence of the agents, servants, or employees of Jefferson County, Alabama, in that on, to-wit, August 23, 1947, the said Joseph Franklin Yarbrough was operating a motorcycle along or upon a public highway in Jefferson County, Alabama, on the Pinson-Bradford Road, approximately 100 feet northwest of R. H. Partain's home near Pinson, Jefferson County, Alabama, at which time said motorcycle ran into a ditch that had been dug across said highway by agents, servants or employees of Jefferson County, Alabama, for the purpose of placing a sewer therein, and the said ditch was allowed to remain open for a long period of time prior to August 23, 1947, viz: several days, without a flagman, flags, or other signals, and without the knowledge of the said Joseph Franklin Yarbrough; the said sum of money as aforesaid is to be paid to the said Joseph Franklin Yarbrough out of such monies of Jefferson County, Alabama, not otherwise appropriated, and the County Commission of Jefferson County, Alabama, is hereby directed to draw, or cause to be drawn, a warrant on the Treasurer of Jefferson County, Alabama, in favor of Joseph Franklin Yarbrough in the sum of \$3,000.00, covering his injuries and damages as aforesaid described, and the Treasurer of Jefferson County, Alabama, is hereby authorized and directed to pay such warrant in the sum of \$3,000.00 out of such funds of Jefferson County, Alabama, not otherwise appropriated.

2. This Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.
Messenger—June 4-11-18-25, 1949.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 4, 11, 18, 25, 1949, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 27 day of June, 1949.

MALCOLM L. WHEELER,
Notary Public.

Also:

By Messrs. Dumas, Adams (Jefferson), Beatty, Meeks and Gibson:

H. 1118. To amend Section 8 of an Act Entitled "To apply in, but only in, counties which have a population of 400,000 inhabitants or more, according to the last or any subsequent Federal Census; to fix, levy and to require the payment to such counties of a license tax, in addition to all other taxes or licenses now required by law, of two cents (\$.02) on each package of cigarettes, containing not more than 20 cigarettes and (\$.02) for each additional 20 cigarettes or fractional part thereof in such package sold, stored, or received, for the purpose of distribution to any person, firm corporation, club, or association within such counties, and to fix and levy a tax on smoking tobacco upon each package containing not more than 1½ ounces .005 (½ cent) each package over 1½ ounce and not exceeding 2 ounces \$0.015 (1½ cents) over 2 ounces and not exceeding

3 ounces \$0.025 (2½ cents) over 3 ounces and not exceeding 4 ounces \$.035 (3½ cents) and \$0.01 (1 cent) additional for each ounce or fractional part thereof over 4 ounces; to provide for the payment of said tax by the purchase and sale of stamps to be affixed to each said package of cigarettes or smoking tobacco sold or distributed, in such counties; to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; to prescribe penalties and fix the punishment for the violation of any provisions of this act; and to repeal any existing ordinances or statutes in conflict with the provisions of this act; to prohibit future license or excise taxes by municipalities; and to provide the effective date of this act”.

Also:

By Messrs. Cole and Brassell:

H. 1124. Relating to Russell County: To provide compensation for the coroner of Russell County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF RUSSELL

Notice is hereby given that at the 1949 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Russell County: To provide compensation for the Coroner of Russell County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Coroner of Russell County shall be entitled to receive an annual salary of six hundred dollars (\$600), which salary shall be paid in monthly installments out of the general fund of the County.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.
29-5-12-19—4T

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Harold E. Poor, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Phenix City Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 29, August 5, August 12 and August 19, all in the year 1949.

HAROLD E. POOR, SR.,
Publisher Phenix City Herald.

Sworn to and subscribed before me Aug. 17, 1949.

D. A. RAMSEY,
Notary Public.

Also:

By Mr. Coburn:

H. 1115. To define, regulate and license barbers and barber colleges, and other like businesses in Colbert County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is given that the following proposed local bill in substance will be presented to the 1949 legislature for adoption.

AN ACT

To define, regulate and license barbers and barber colleges, and other like businesses in Colbert County, Alabama, State of Alabama; and create a Barber's Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. That after the passage of this act it shall be unlawful for any person, co-partnership, association or corporation to act as a barber, operate a barber college, barber shop or other like business, to advertise or assume to act as such without a license issued by the Barber's Commission of Colbert County. No co-partnership, association or corporation, shall be granted a license, unless every member or officer of said co-partnership, association or corporation, who actively engages in the barber business, barber college or like business of such co-partnership, association or corporation, shall hold a license as a barber as hereinafter provided for.

Section 2. A barber, barber shop, barber college or other like business within the meaning of this Act is any person, firm, partnership, co-partnership, association or corporation, who, for a valuable consideration or hire, shaves or trims the beard; gives facial or scalp massages, or treats the same with oils or other preparations, singes, shampoos, cuts or dyes the hair of a human being, or applies hair tonic or other cosmetic preparations, clays or lotions to the scalp, neck or face, or engages in the teaching of any person or persons in the art of barbering as in this paragraph defined. Provided, however, the provisions of this Act shall not apply to (1) persons engaged in the practice of medicine, surgery or beauty culture, (2) persons actively engaged in the military service of the United States Government while acting in line of duty, (3) registered nurses in the course of their employment as such, (4) persons who render any of said services to members of their immediate families, or other persons who receive such services without charge therefor.

Section 3. There is hereby created a Barber's Commission for Colbert County, State of Alabama. The Governor shall appoint three persons, each of whom immediately prior to the date of his appointment has been a resident of Colbert County, State of Alabama, for three years and who has had at least five years' experience as a barber, one member to be appointed for a term of one year, one member to be appointed for a term of two year, and one member to be appointed for a term of three

years, and thereafter the term of any member appointed and qualified to succeed the members of the Barber's Commission for Colbert County first appointed shall be for three years and until their successors are appointed and qualified. Members to fill vacancies shall be appointed and vacancies caused by the expiration of the term of any person appointed shall be selected in the manner following: The Commission shall, sixty days prior to the expiration of the term of any commissioner or the Chairman of the Barber's Commission for Colbert County, give notice in writing to the licensed barbers of Colbert County that such vacancy will be created on the date of the expiration of the term of the commissioner whose term is about to expire; or if a vacancy be caused for any reason other than the expiration of the term the Barbers' Commission for Colbert County shall within thirty days after such vacancy is created give notice to the licensed barbers of Colbert County of such vacancy, calling upon the said barbers to suggest to the Barber's Commission for Colbert County the names of three barbers to fill the vacancy or vacancies thus occasioned; to that end a ballot shall be prepared and enclosed in the letter notifying the barbers of the vacancy or vacancies thus created, the said ballot reading: "I hereby nominate for appointment by the Governor of the State of Alabama to the Barber's Commission for Colbert County, Alabama, one of the following named three persons:

The ballots shall be numbered and identified in such manner as to prevent anyone employing any ballot other than that forwarded the licensed barber entitled to vote and in addition to the ballot the Barber's Commission for Colbert County shall forward the licensed barber an envelope addressed to the Barbers' Commission for Colbert County and properly stamped with postage of the United States Government. When the ballots are returned to the Barbers' Commission for Colbert County they shall be opened on a day designated in the notification forwarded the duly licensed barbers of Colbert County in the presence of the commissioners of the Barbers' Commission for Colbert County then serving, and the ballots shall be counted, and the names of the three barbers who shall receive the greatest number of votes shall be selected as the three nominees of the Barbers' Commission for Colbert County and the Barbers' Commission for Colbert County shall then certify to the Governor of the State of Alabama the names of the three barbers receiving the highest number of votes, and the Governor shall appoint one of the three persons thus designated to fill the vacancy created. If more than one vacancy exist at any time there shall be nominated in the manner herein above designated and certified to the Governor three nominees for each such vacancy so that if there be one vacancy there shall be three nominees, if there be two vacancies there shall be six nominees, and if there be three vacancies there shall be nine nominees certified to the Governor of Alabama, who shall select for appointment one nominee from each group thus nominated. The Commission immediately upon the qualification of the member appointed each year shall organize by selecting from its members a Chairman, and may do all things necessary or convenient for carrying into effect the provisions of this Act. Each member of the Commission shall receive as full compensation for each day actually spent in the work of said Commission the sum of six dollars per day and his actual and necessary expenses thereby incurred. The Commission shall appoint and at its pleasure discharge, a secretary-treasurer and such assistants as may be deemed necessary to discharge the duties imposed by the provisions of this Act: the Treasurer so appointed shall be required to enter into a bond to be approved by the Commission in the sum of not less than One Thousand (\$1,000.00) Dollars conditioned to pay any shortage or loss of funds on hand by said Treasurer during his term of office or at the time that he is holding office. Said Commission shall outline the duties and fix the compensation of the Treasurer. The Com-

mission shall obtain such office space, furnishings, and other proper conveniences as shall be reasonably necessary for carrying out of the provisions of this Act. The principal office of said Commission to be located in the City of Tuscumbia, provided however, that upon the request of said Commission, the Board of Revenue and Road Commissioners shall furnish an office in the Court House without charge. The Commission shall adopt a seal with such design as it may prescribe, engraved thereon, by which it shall authenticate its proceedings. The Commission shall make appropriate rules and regulations for the administration of the office of the Commission and for the purpose of carrying out the provisions of this Act. In addition thereto, the Commission is empowered to make reasonable inspection of the barbers and barber shops of Colbert County to the end that they observe proper methods of sanitation and sterilization in and about the conduct of their business. Copies of all records and papers in the office of the Commission duly certified and authenticated by its seal shall be received in evidence in all courts with like effect as the original. All records kept in the office of the Commission under authority of this Act shall be open to public inspection under such rules and regulations as shall be prescribed by the Commission. All fees and charges collected by the Commission under the provisions of this Act, shall be paid into the Treasury of the Commission; said funds shall be used and kept exclusively in the hands of the Treasurer of this Commission, and shall be used under the direction of the Commission, not inconsistent with this Act. Funds may be disbursed by an order of the Commission on a check being drawn by the Treasurer against such funds, as may be on hand, and approved by the Chairman of the Board for the purpose of paying all expenses incurred by the Commission, including the compensation of members and their employees and their assistants and the Treasurer, provided the total expenses for every purpose incurred shall not exceed the total fees and charges collected and paid into the Treasury of this Commission and all monies remaining in said separate fund at the end of the fiscal year not expended as herein provided, shall become a part of the funds of said Commission and shall be retained by the said Commission and may be deposited in any bank on Savings Account or otherwise.

Section 4. Licenses shall be granted only to persons of good moral character, who have an elementary school education, or its equivalent in the judgment of the Commission, and shall be at least 18 years of age, and have practiced as an apprentice for a period of at least one year and pass a satisfactory examination conducted by the Commission. Provided, however, any person or persons engaged in the occupation of barbering for a period of less than one year may be licensed as an apprentice barber, provided he is 17 years of age, and has an elementary school education, or its equivalent in the judgment of the Commission, upon successfully passing said Commissioners' examination for licensing a barber, as herein set forth.

Section 5. Whenever the masculine gender is used in this Act it is to be construed in such manner as to include the feminine gender. Every applicant for a barber's license, apprentice-barber's license or for a license to operate a barber shop or barber college or other like business shall apply therefor in writing on blanks prepared for and furnished by said Barber's Commission. It shall be accompanied by the recommendation of at least two barbers doing business in said county of Colbert not related to the applicant certifying that the applicant is of good reputation, is a qualified to practice the trade of barbering, and recommending that a license be granted him. Said application shall be accompanied by the application fee herein after provided and a reputable doctor's certificate certifying that said applicant has no communicable or contagious or infectious disease. The Commission, after applications in proper form have been filed, shall set the application down for a hearing and determination

as hereinafter provided in this Act. The Commission shall examine the application, doctor's certificate and recommendations of the barbers recommending the applicant and if these documents are found in order, then and in that event the Commission is to proceed with the examination of the applicant. The applicant shall be examined with a view of determining whether he has an elementary school education or its equivalent, and in addition thereto the applicant shall be to a chair in some barber shop where barbers licensed to practice barbering under the terms of this Act are employed, where the applicant shall be given an examination which will determine his skill as a barber and in addition thereto the applicant may be required to name the instruments which are in general use in such barber shop and he shall be examined as to his knowledge concerning and the proper employment of shaving and shampooing soaps, antiseptics, lotions, facial massage creams and hair tonics, and if, in the opinion of the Commission, such demonstration is deemed necessary or advisable the applicant may be required to demonstrate his skill in shaving some person or cutting his hair, in the art of massage or shampooing, or to do any or all of those things which a reputable barber is generally called upon to perform in practicing barbering. In addition thereto he shall be examined relative to his knowledge of certain skin diseases commonly dealt with by experienced barbers with the view of determining whether or not such diseases are infectious, or contagious; and in this connection he shall be required to show to the reasonable satisfaction of the Commission his knowledge of the proper sterilization of the instruments and tools he is required to employ in and about the practice of barbering. If the applicant pass the examination the Commission shall issue a license in such form as it may prescribe showing the name and address of the licensee and the barber shop or college in which he is employed. The seal of the Commission shall be imprinted on the license and such other additional matter placed thereon as the Commission may designate. It shall be the duty of each person, co-partnership, association or corporation to display conspicuously the license thus issued in the place of business wherein such person, co-partnership, association or corporation operates. The Commission shall issue to each licensee a pocket card, on which shall be an imprint of the seal of the Commission certifying that the person whose name appears thereon is a licensed barber or operator of one of the businesses herein named as the case may be. The original fee for each barber's license shall be \$7.50, and the annual renewal fee shall be \$7.50. The original fee for any non-resident barber coming into this State shall be \$15.00. Every license shall expire on the 31st day of December of each year. The Commission shall issue a new license for the ensuing year in the absence of any reason or condition that might warrant the refusal of granting of the license upon the receipt of the written request of the applicant accompanied by the annual fee therefor, as herein required, and accompanied, also, by a certificate of a reputable physician asserting that the applicant then has no contagious, communicable or infectious disease. The Commission may upon its own motion, and shall upon the verified complaint in writing of any three persons making out a prima facie case, investigate the actions of any person hereby affected, and shall have the power to suspend or to revoke any license issued under the provisions of this Act at any time where the licensee has fraudulently obtained the license, or where the licensee in performing or attempting to perform any of the acts mentioned herein is deemed to be guilty of (a) the violation of any state, county, or city statute or ordinance pertaining to the operation of the business hereby affected, (b) the violation of any rule or regulation established by the Commission (c) or who has failed upon request of the Secretary-Treasurer to give evidence and/or proof of the compliance with the same. The Commission shall, before denying an application for license, or before suspending or revoking any license, set the matter down for a hear-

ing, and at least ten days prior to the date set for the hearing, notify the applicant or licensee in writing, which notice shall contain an exact statement of the charges made, and the date and place of hearing. The applicant or licensee at all hearings, shall have the opportunity to be heard in person or by counsel or both. Such notice may be served by delivery of the same personally to the applicant or licensee, or by mailing the same by registered mail to the last known business of such applicant or licensee. In preparation and conduct of hearings, the Commission shall have power to require by subpoena the appearance and testimony of witnesses and the production of papers, and any member of the commission may sign subpoenas, administer oaths and examine witnesses. The fees and mileage shall be the same as prescribed by law in judicial procedure in the court of this State in civil cases. Any party to a hearing shall have the right to the attendance of witnesses in his behalf. In case of disobedience to a subpoena, any member of the Commission may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers, and such court may issue an order requiring the persons to appear before the Commission, and give evidence, or produce papers, as the case may be, and any failure to obey such order of the Court may be punished by the Court as a contempt thereof. Any person so refusing to appear and give testimony required by such Commission shall be guilty of a misdemeanor, and upon conviction thereof by a court of competent jurisdiction, as provided by the provisions of this Act. If the Commission shall determine that any applicant is not qualified to receive a license, or that any licensee is guilty of a violation of any of the provisions of this Act, a license shall not be granted, or the same suspended or revoked as the case may require. Upon request of the applicant or licensee in writing, the Commission shall furnish said party, with a definite statement of its findings or facts and its reason or reasons for refusing to grant the license or for its suspension or revocation of same. The findings of the Commission may be appealed to the Circuit Court of the county in which the principal office of the Commission may be located, provided an appeal is taken within 10 days after such final determination of the Commission. Any person desiring to appeal under this section shall file with the Commission or some member thereof, a notice in writing that he appeals to the Circuit Court with at least one solvent surety payable to the County of Colbert, conditioned to prosecute such appeal to effect, and upon failure to do so, to pay all costs and damages which may be taxed against him by the Circuit Court on such appeal. Such bond to be approved by the Circuit Court of Colbert County, and any cause so appealed shall be tried de novo in said Circuit Court. The Commission shall at least every three months hold an examination for the purpose of determining the qualifications of any applicants to become barbers or barber apprentices, and shall conduct said examination in accordance with the provisions hereof and in accordance with the rules and regulations promulgated by said Commission not inconsistent with this Act. Said examination to be conducted in the city, town, or village where the principal office of the Commission is located.

Section 6. Any person violating the provisions of this Act shall upon conviction be punished by a fine of not more than five hundred dollars, or by imprisonment for a term not to exceed six months or by both fine and imprisonment in the discretion of the Court. This provision shall have application to any officer or agent of a corporation, co-partnership or association operated in violation of this Act. Any court of competent jurisdiction in said county shall have full power to try any violation of this Act, and upon conviction the Court may at its discretion revoke the license of the person, co-partnership, association or corporation violating the terms hereof. Before the Commissioners herein provided for shall receive a commission and enter upon the discharge of their duties each shall take and subscribe the oath provided by law to be taken by elective

officers of the State of Alabama.

Section 7. If any section, sub-section, sentence, clause, or phrase or requirement of this Act is for any reason held to be unconstitutional, such decision shall not affect the avidity of the remaining portions thereof. The Legislature hereby declares that it would have passed this Act and each section, sub-section, sentence, clause, phrase and requirements thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases or requirements to be declared unconstitutional.

Section 8. All laws, or parts of laws, in conflict with this Act be, and the same are hereby repealed.

Section 9. Nothing in this Act contained shall affect the power of the State, County or municipality to tax, license and regulate persons, co-partnerships, associations or corporations, operating barber shops, barber colleges, or other like businesses. The requirements hereof shall be in addition to the requirement of any existing or future law or ordinance of any state, county or municipality so taxing, licensing or regulating persons, co-partnerships, associations or corporations operating barber shops, barber colleges or other like businesses.

Section 10. This Act shall take effect immediately upon its passage and approval by the Governor.

THE STATE OF ALABAMA COLBERT COUNTY

Before me, the undersigned authority in and for said State and County, this day personally appeared W. F. Miller, who being first duly sworn and legally so, deposes and says that he is the Publisher of Colbert County Reporter, a newspaper published in Colbert County, Alabama, and that the advertisement of the intention to have introduced in the Legislature of Alabama, An Act, a true copy of which is hereto attached, appeared in said Colbert County Reporter, once a week for four consecutive weeks, namely, July 28, August 4, 11 and 18, 1949.

COLBERT COUNTY REPORTER,

W. F. MILLER,

Publisher.

Sworn to and subscribed before me this 18th day of August, 1949.

W. D. DUKE,

Notary Public.

Also:

By Messrs. Thompson (Pike) and Shirley:

H. 1122. To alter and re-arrange the boundary lines of the City of Troy, Alabama, so as to include within the Corporate Limits of said City the territory described in Section 1 of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the present session of the Legislature of Alabama for the passage and enactment of a local law, as follows, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter and re-arrange the boundary lines of the City of Troy, Alabama, so as to include within the Corporate Limits of said City the territory described in Section 1 of this Act.

Section 1. That from and after the passage and approval of this Act the boundary lines of the City of Troy, Alabama, shall be altered and re-arranged so as to include within the Corporate Limits of said City, in addition to the territory included within the present Corporate Limits, the territory described and bounded as follows:

Beginning at the intersection of the present Corporate Limit of the City of Troy and the North line of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33, Township 10 N, Range 21 E, and running thence East 3564 feet more or less to the Northeast corner of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 33, Township 10 N, Range 21 E, thence South 1980 feet more or less to the Northeast corner of the Southeast $\frac{1}{4}$ of Section 33, Township 10 N, Range 21 E, thence East 1320 feet more or less to the Northeast corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 34, Township 10 N, Range 21 E, thence South 2640 feet more or less to the Southeast corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 34, Township 10 N, Range 21 E, thence West 4884 feet more or less along the South line of said Sections 33 and 34 to the present Corporate Limit of the City of Troy, thence North along the said Corporate Limit 4620 feet more or less to the point of beginning.

Section 2. That the territory described in Section 1 of this Act be and the same is hereby included within the Corporate Limits of the City of Troy, Alabama, a municipal corporation in Pike County.
6-28-11aw 4wk

STATE OF ALABAMA PIKE COUNTY

Before me, Roy S. Ammons, a Notary Public in and for said State and County, personally appeared Glenn Jones, who being sworn, deposes and says on oath, that he is the editor and publisher of The Troy Messenger, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the notice attached hereto and made part hereof was published in the said Troy Messenger once a week for four consecutive weeks, the same appearing in the issues dated: June 28th, July 5th, July 12th, and July 19/49.

GLENN JONES,
Publisher.

Sworn to and subscribed before me this the 20th day of July, 1949.

ROY S. AMMONS,
Notary Public, Pike County, Ala.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1082 and 1114. To the Committee on Judiciary.

H. B.'s 1113, 1116, 1111, 1117, 1132, 1118, 1124, 1115 and 1122. To the Committee on Local Legislation.

REPORT FROM RULES COMMITTEE

Mr. Swift, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted upon the follow-

ing Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 73. Relative to naming S. B.'s No. 4 and 6.

And said resolution was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Meeks, Gibson and Adams (Jefferson):

H. 1099. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Warrior, in Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL ACT

Notice is hereby given under the provisions of, and pursuant to Section 106 of the Constitution of Alabama of 1901 of intention to apply for the passage of and to submit to the Legislature of the State of Alabama, the following bill:

A BILL TO BE ENTITLED AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the Town of Warrior, in Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Warrior, in Jefferson County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said Town all of the following described territories:

From the SW corner of Section 23, Township 14 South, Range 3 West, the point of beginning, run east along the south line of Sections 23 and 24, Township 14 South, Range 3 West, to an intersection with the centerline of the Locust Fork of Warrior River. Thence meander northerly along the centerline of said river to its intersection with the west line of Section 18, Township 14 South, Range 2 West, thence run northeasterly in a straight line to the southeast corner of Section 7, Township 14 South, Range 2 West, thence run northwesterly in a straight line to the northeast corner of Section 12, Township 14 South, Range 3 West, thence run westerly along the north line of Sections 12 and 11, Township 14 South, Range 6 West, to the northwest corner of Section 11, Township 14 South, Range 3 West. Thence run southerly along the west line of Sections 11, 14 and 23; Township 14 South, Range 3 West to the southwest corner of Section 23, Township 14 South, Range 3 West, Jefferson County, Alabama the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Section 3. That this act shall go into effect immediately upon its passage or approval by the Governor, or its otherwise becoming a law. Age-Herald, July 29; Aug. 1, 8, 15.

STATE OF ALABAMA, ss
COUNTY OF JEFFERSON

On this 15th day of August, A. D. one thousand nine hundred and 49 personally appeared before me, Joe L. Roberts a Notary Public in and

for the County and State aforesaid Charles M. Vaughan who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Age-Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Age-Herald" on the following dates:

July 29, 1949.

August 1, 1949.

August 8, 1949.

August 15, 1949.

CHARLES M. VAUGHAN.

Subscribed and sworn to before me this 15th day of August, A. D., 1949.

JOE L. ROBERTS,
Notary Public.

My Commission Expires March 18, 1952.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1099. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

By Mr. Summerlin:

S. 543. Relating to Crenshaw County: To amend Act 83, H. B. 68, approved March 4, 1931 (Local Acts of 1931 p. 21), entitled "An Act To Provide for the election of a County Superintendent of Education for Crenshaw County, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term, and compensation of such officer."

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Summerlin the Senate concurred in and adopted the following House amendment to the bill, S. B. 543, the title of which is set out in the foregoing Message from the House.

AMEND SENATE BILL NUMBER 543

By striking out Section 3 and substituting the below in lieu as Section 3.

Qualifications of superintendent.—No person shall be eligible for appointment by the Crenshaw County Board of Education, or

for political party nomination, or for election to the office of county superintendent of education of Crenshaw county who does not hold an Alabama certificate in administration and supervision based upon requirements established by the state board of education for such certificate, and who does not submit proof to the state superintendent of education of three years of successful educational experience as teacher, principal, supervisor, superintendent, educational administrator, or instructor in school administration during the seven years next preceding his appointment or election; provided, however, that time spent in the armed forces of the United States during World War II shall not be construed as breaking continuity of educational experience; provided, that a person so appointed by the county board of education need not be a resident or a qualified elector of the county in which he is to serve; and provided further, that the academic and professional qualifications prescribed herein shall not apply to county superintendents of education in office on September 6, 1927.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Perry	
Allen	Fite	Lamberth	Quarles	
Boutwell	Gaither	Mize	Russell	
Burnside	Golson	Patterson	Summerlin	
Cater	Harvey	Patton	Swift	
Clayton	Howle			—21

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

S. 647. To alter and rearrange the corporate limits of the City of Birmingham so as to include therein parts of the territory located in Sections 11 and 12 of Township 17, Range 3, West, in Jefferson County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Langen	Quarles	
Allen	Fite	Lowe	Russell	
Boutwell	Golson	Patterson	Summerlin	
Burnside	Henderson	Patton	Swift	
Cater	Howle	Perry	Wright	
Clayton	Kendall			—21

Nays:

—0

The Bill:

H. 1075. To establish a County Commission for Russell County, to provide for the appointment and election of the members thereof and prescribe their duties and powers, to provide for a Chairman of said County Commission and to fix his duties and powers; and fix their compensation; to divide the County of Russell into three districts for the County Commission of Russell County and abolish the Court of County Commissioners for Russell County, and to repeal all conflicting laws, general, local and special.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Lamberth	Quarles	
Allen	Glover	Owens	Russell	
Boutwell	Golson	Patterson	Summerlin	
Burnside	Henderson	Patton	Swift	
Cater	Howle	Perry	Wright	
Clayton	Kendall			—21

Nays: —0

The Bill:

S. 514. To amend Section 3 of Act No. 492, H. 778, approved September 30, 1947, (General Acts of Alabama, 1947, p. 338), entitled, "An Act relating to and regulating contracts for public works; and to repeal Chapter 1, Title 50, of the Code of Alabama, 1940, Sections 1 to 15, inclusive."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment;

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Mize	
Allen	Golson	Hughes	Patterson	
Boutwell	Gulledge	Kendall	Patton	
Burnside	Hardwick	Kimbrell	Perry	
Cater	Harvey	Lamberth	Summerlin	
Clayton	Henderson	Langan	Swift	
Coleman	Hooton	Lowe	Wright	—27

Nays: —0

The Bill:

S. 655. To provide that in any judicial circuit now or hereafter composed of one county having more than five circuit judges, in addition to the salary which now or hereafter may be paid by the

State of Alabama to the judges thereof there shall be paid to each circuit judge thereof, the sum of three thousand dollars (\$3,000) per annum which sum shall be paid in equal monthly installments out of the general treasury of such county; and to provide that no salary shall be payable to such judges by such county except as provided in this Act.

was taken up.

Mr. Boutwell offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR SENATE BILL NO. 655

A BILL TO BE ENTITLED AN ACT

To provide that in any judicial circuit now or hereafter composed of one county having more than five circuit judges, in addition to the salary which now or hereafter may be paid to the register of such county, he shall also be paid the additional sum of three hundred dollars (\$300) per annum.

Be It Enacted by the Legislature of Alabama:

Section 1. That in any judicial circuit now or hereafter composed of one county having more than five circuit judges, in addition to the salary which now or hereafter may be paid to the register of the circuit in equity in such county, such register shall also be paid the additional sum of three hundred dollars (\$300) per annum, payable in equal monthly installments.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Owens
Allen	Fite	Hughes	Patterson
Boutwell	Gaither	Kendall	Patton
Burnside	Glover	Lamberth	Russell
Cater	Golson	Lowe	Swift
Clayton	Henderson		

—21

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Kimbrell	Patton	
Allen	Hardwick	Lamberth	Perry	
Boutwell	Henderson	Langan	Quarles	
Burnside	Howle	Owens	Russell	
Cater	Hughes	Patterson	Summerlin	
Clayton	Kendall			—21

Nays:

—0

RESOLUTION

Messrs. Patterson and Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 79. Be it Resolved by the Senate of Alabama the House concurring that we thank the Thirty-six gentlemen, Legislative Agents, who entertained the Legislature, Clerks, and friends on Wednesday, August 24th 1949, with a splendid dinner and other fine entertainment at Narrow Lane Inn.

And on motion of Mr. Patterson the rules were suspended and the resolution adopted by the Senate.

NOTICE IN WRITING

Mr. Henderson offered the following notice in writing, to-wit:

Notice is hereby given that I will move on the next Legislative Day in accordance with Rule No. 49 to suspend, modify or amend Rule No. 34 which now reads as follows:

“The Committee on Rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour, and a vote be taken on the measure. The consideration of each special rule shall not exceed thirty minutes, when a vote shall be taken thereon, and if two-thirds of the elected members of the Senate shall vote favorably to limit debate then said rule shall have been adopted by the Senate.”

so that during the consideration of pending measures it shall read as follows:

“The Committee on Rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour, and a vote to be taken on the measure. The consideration of such special rule shall not exceed thirty minutes when a vote shall be taken thereon.”

and provided further that at the conclusion of the consideration of these pending measures that Rule No. 34 shall revert to its present status, to read as follows:

“The Committee on Rules may at any time report a special rule that debate on a pending measure shall cease at a certain

hour, and a vote be taken on the measure. The consideration of each special rule shall not exceed thirty minutes, when a vote shall be taken thereon, and if two-thirds of the elected members of the Senate shall vote favorably to limit debate then said rule shall have been adopted by the Senate."

The purpose of this proposed change in Rule No. 34 is to enable the Senate to transact business necessary to the public interest and the State.

Which was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the Resolution:

H. J. R. 149. BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today that they adjourn to meet again on Friday, September 2nd, 1949.

And requests a Committee of Conference, and the Speaker of the House has named as a Committee of Conference on the part of the House:

Messrs. Harris, Miller and Crocker.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fite, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the resolution, H. J. R. 149.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Fite, Hooton and Owens.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Kaul, McIlwain, Inzer, Faulk and Sellers:

H. 1131. Making an additional appropriation to the Department of Examiners of Public Accounts for each of the fiscal years 1949-50 and 1950-51.

Also:

By Mr. Adams (Jefferson):

H. 642. To amend Section 20 of Title 34, Code of Alabama (1940), which relates to the grounds for divorce.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 1131. To the Committee on Finance and Taxation.

H. B. 642. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Shelton:

H. 1057. To make it unlawful for any person to disturb the peace of others by violent, offensive, boisterous, obscene, or indecent conduct or language; providing the penalty for violation of this Act; and to provide that this Act shall become effective upon its becoming a law; and to further provide that this Act shall apply only in counties having a population of not less than seventy-five thousand and not more than one hundred thirteen thousand, and in counties having a population of over four hundred thousand, according to the last or any succeeding Federal census.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1057. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Benford:

H. 718. To amend Section 657 of Title 51 of the Code of Alabama (1940), as amended, which relates to the distribution of the proceeds of the gasoline tax.

Also:

By Mr. Harris:

H. 1126. To make an additional appropriation to the Department of Health of Alabama for each of the fiscal years 1949-50 and 1950-51.

Also:

By Mr. Wallace:

H. 377. To authorize and empower the State Treasurer to accept, in the name of and for the State of Alabama, any grant from the Federal government or any appropriation made by the Congress of the United States or any allocation of Federal Funds appropriated by the Congress of the United States to the State of Alabama for the purpose of assisting the State in financing a minimum foundation education program of public elementary and secondary schools, and in reducing inequalities of

educational opportunities through public elementary and secondary schools, for the general welfare and for other purposes; to provide that, State Board of Education shall represent the State in the administration of such funds, appropriations or allocations, and to empower the State Treasurer and the State Board of Education to meet the terms imposed on such grants, appropriations or allocations provided these terms and conditions are not in conflict with the Constitution of Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 718, 1126 and 377. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 73. Naming Senate Bill 4 and Senate Bill 6.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Wallace:

H. 1135. To make an additional appropriation to the Department of Finance for the fiscal years ending September 30, 1950 and September 30, 1951.

Also:

By Messrs. Shelton and Callahan:

H. 326. To appropriate to the State of Alabama Building Commission the sum of \$900,000.00 and to provide for the expenditure thereof.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1135 and 326. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Callahan and Shelton:

H. 327. To make an appropriation to the Board of Managers of the Partlow School for constructing and equipping a building.

Also:

By Mr. Mitchell:

H. 461. To amend Title 51, Section 681, Code of Alabama 1940, to provide for the seizure of gasoline, upon which tax has not been paid, and other property to secure the payment of said tax; and to provide for the disposal of said property when seized by the Department of Revenue, as aforesaid, and to provide a mode of procedure whereby the owner or claimant of said property may claim same, and appeal from any adverse ruling made by the Commissioner of Revenue.

Also:

By Mr. Mitchell:

H. 459. To amend Title 51, Section 630, Code of Alabama 1940, to provide for the general revenue; and by further providing that the excise tax therein levied shall not apply to those products known commercially as "kerosene oil", "fuel oil", and "crude oil".

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 327 and 459. To the Committee on Finance and Taxation.

H. B. 461. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 79. Relative to expressing thanks for the dinner and other fine entertainment at Narrow Lane Inn.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Adams (Jefferson) and Adams (Dale):

H. 698. To prescribe safety measures for boats operated or propelled by outboard or inboard motors. To provide for penalty for the violation

of this Act and to provide for the disposition of the fines. To repeal all laws in conflict herewith. To provide when this Act shall become effective and for other purposes.

Also:

By Mr. Wood (Washington):

H. 700. To further prescribe safety measures for boats which are rented for hire, or furnished with or without charge to the public for recreational purposes or for hunting or fishing in the public or private waters of Alabama. To provide a penalty for the violation of this Act and to provide for the disposition of the fines. To repeal all laws in conflict herewith. To provide when this Act shall become effective and for other purposes.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 698 and 700. To the Committee on Fish and Game.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I hand you herewith message from the Governor, returning Senate Bill No. 465, without his approval.

Respectfully,

O. H. FINNEY, JR.,
Executive Secretary.

August 26, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 465, with a suggested executive amendment.

Amend said bill by inserting immediately after the word "used" as the same appears in the title and in Section 1, the following words:

"and in each ward, precinct or beat in every incorporated municipality in the State of Alabama."

This suggested amendment is made with the full knowledge and approval of the author of the bill, and if adopted will remove my objection to said bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to S. B. 465, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the State Board of Education.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

August 26, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Board of Education.

Honorable Ed E. Reid.....Montgomery
From the Second District, for the term expiring October 1, 1953.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment of E. Reid to State Board of Education, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Shelton and Pinkston:

H. J. R. 154. Whereas, the State of Alabama possesses vast undeveloped economic and natural resources;

Whereas, the development of Alabama's economic and natural resources is essential to promoting the general welfare of the nation, and insuring continued national prosperity;

Whereas, the investment of capital in Alabama's business, commercial and industrial enterprises is necessary for the development of the State's economic and natural resources;

Whereas, the citizens of Alabama pay annually approximately one hundred twenty-seven million dollars in insurance premiums; and

Whereas, the insurance companies of the nation invest only a small proportion of these insurance premiums in Alabama for the development of the State's economic and natural resources; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING:

1. The insurance companies of the nation are respectfully urged to invest a larger proportionate share of their funds in Alabama's business, commercial, and industrial enterprises, to the end that the economic and natural resources of the State may be more fully developed.

2. The Secretary of State is directed to mail a copy of this resolution to each insurance company licensed to do business in the State of Alabama.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 154, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 769. To regulate further the use of the highways of the State by pedestrians and vehicles; prescribing equipment of certain vehicles and further prescribing rules and regulations governing traffic and the operation of vehicles on the highways; providing the method of enforcing this Act; and prescribing penalties for violations hereof.

Also:

H. 770. To revise Chapter 1 of Title 36 of the Code of Alabama (1940), which relates to motor vehicles and more particularly to the rules of the road, by amending Sections 1, 16, 17, 19, 20, 26, 27, 38, 39, 40, 41, 42, 46, 48, 51, 52, 55, and 56, and repealing Sections 30, 43, and 57.

Also:

H. 771. To revise Chapter 3 of Title 36 of the Code of Alabama (1940), which relates to motor vehicles and more particularly to the measurement of vehicles, loads on vehicles, certain equipment required of vehicles and regulations relative to the size and weight of vehicles, by amending Sections 78, 85, 87, and 88.

Also:

H. 896. For the relief of J. A. Watwood.

Also:

H. 1075. To establish a County Commission for Russell County, to provide for the appointment and election of the members thereof and prescribe their duties and powers, to provide for a Chairman of said County Commission and to fix his duties and powers; and fix their compensation; to divide the County of Russell into three districts for the County Commission of Russell County and abolish the Court of County Commissioners for Russell County, and to repeal all conflicting laws, general, local and special.

Also:

H. 977. To apply in all counties of this State having a population of not less than 140,000 according to the last or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to provide for the appointment of the members of said Plumbers Examining Board and their term of office; to provide for the payment of compensation to the members of said Board and the employees thereof, and to provide for the payment of expenses incurred by the members of said Board and its employees; to define the powers conferred upon and duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and certificate fees; to empower the said Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this Act.

Also:

H. 995. To propose an amendment to the Constitution of Alabama providing for levying and collecting in the school tax district of the City of Huntsville in Madison County a special school tax of fifty cents on each one hundred dollars of taxable property to be used solely for public school purposes, and providing for the issuance of bonds to be retired with the funds arising from such tax; ordering an election upon the proposed amendment to be held on the date of the first special or general election held following the expiration of three months after the final adjournment of the present session of the Legislature.

Also:

H. J. R. 146. Relating to naming H. B. 451 the Gibson-Patton bill.

Also:

H. J. R. 147. Relative to House Bill 604 being known as the Haynes (Franklin), Coburn, Barnett, Rogers, Fite and Patton Bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate

amendment to H. J. R. 149. Said report of said Conference Committee being in words and figures as follows:

REPORT OF CONFERENCE COMMITTEE

Your Committee of Conference appointed to reconcile the disagreement between the two houses on House Joint Resolution 149 do hereby recommend that the Senate recede from its amendment to said resolution and that the two houses pass said resolution as it was passed by the House, as follows:

"BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two houses adjourn today that they adjourn to meet again on Friday, September 2, 1949."

Z. P. CROCKER,
EDWARD B. MILLER,
NORMAN W. HARRIS,
Conferees on the part of the
House.

PAUL J. HOOTON,
C. J. OWENS,
Conferees on the part of the
Senate.

I respectfully disagree with the above report and recommendation and dissent therefrom.

RANKIN FITE,
Conferee on the part of the Senate.

And H. J. R. 149 as amended by the report of the Committee of Conference was again read and adopted.

And said Resolution, together with the report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

Mr. Hooton moved that the Senate concur in the majority report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the resolution, H. J. R. 149, which said resolution and Conference Report is set out in the foregoing Message from the House.

Mr. Fite moved to lay on the table the motion to concur in the majority report, and the motion to table was lost.

Yeas 15; Nays 17.

Yeas:

Messrs.:	Harvey	Lamberth	Patterson
Allen	Howle	Langan	Patton
Fite	Hughes	Lowe	Swift
Hardwick	Kimbrell	Mize	Wright

of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education, shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local board of education in any school are such as to prevent the operation of that school for the required nine months minimum term. Provided further, that an amount equal to but not in excess of \$425,000.00 per annum, or as much thereof as may be necessary of this appropriation, be used by the State Board of Education to provide sick leave payments to teachers in the public elementary and high schools. The Minimum Program Fund shall also include any other appropriation or funds, either state or federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

Section 5. **FREE TEXTBOOKS.** There is hereby appropriated to the State Board of Education for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$450,000.00 to be expended for the purpose of furnishing free textbooks in the tax-supported public elementary schools of the State in accordance with the statutes and regulations of the State Board of Education in regard thereto.

Section 6. **ALABAMA COLLEGE.** There is hereby appropriated to Alabama College for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$480,000.00 as provided for in existing statutes (to be devoted to the same purposes and in the same proportions as provided in existing statutes).

Section 7. **UNIVERSITY OF ALABAMA.** There is hereby appropriated to the University of Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$2,167,500.00 as provided for in existing statutes (to be devoted to the same purposes and in the same proportions as provided in existing statutes), and \$40,000.00 for a school of nursing.

Section 8. **THE UNIVERSITY OF ALABAMA MEDICAL CENTER.** (a) There is hereby appropriated to the University of Alabama Medical College and School of Nursing for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$657,000.00 for maintenance and operation; (b) There is hereby appropriated out of the State Treasury to the School of Dentistry for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$250,000.00 for mainte-

nance and operation; (c) For equipment for School of Dentistry for each of the fiscal years ending September 30, 1950, and September 30, 1951, \$125,000.00; (d) The expenditure of the funds appropriated in this section shall be governed by the limitations and restrictions controlling the expenditures in Act No. 89, 1943 Acts, page 89, and in Section 9 of Act No. 207, 1945 Acts, page 325.

Section 9. UNIVERSITY OF ALABAMA FOR RESEARCH AND EXTENSION WORK. There is hereby appropriated to the University of Alabama the further sum of \$160,000.00 for each of the fiscal years ending September 30, 1950, and September 30, 1951, to be expended in accordance with the restrictions and limitations provided for research and extension work of the 1943 Acts of the Legislature, page 142.

Section 10. ALABAMA POLYTECHNIC INSTITUTE. There is hereby appropriated to the Alabama Polytechnic Institute for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$1,926,000.00 as provided for in existing statutes (to be devoted to the same purposes and in the same proportions as provided in existing statutes).

Section 11. ALABAMA POLYTECHNIC INSTITUTE SCHOOL OF FORESTRY. (1) To provide for more adequate instruction in forestry and adequate training for agriculture students in the Alabama Polytechnic Institute, there is hereby appropriated to the Board of Trustees of the Alabama Polytechnic Institute the sum of \$25,000.00 for each of the fiscal years ending September 30, 1950, and September 30, 1951. (2) To provide for the more adequate support of research work in forestry at the Alabama Polytechnic Institute, there is hereby appropriated to the Board of Trustees of the Alabama Polytechnic Institute the sum of \$25,000.00 for each of the fiscal years ending September 30, 1950, and September 30, 1951. The funds appropriated in this section shall be expended only in accordance with the instructions and limitations placed thereon by Act No. 294, 1945 Legislature, page 488.

Section 12. ALABAMA POLYTECHNIC INSTITUTE FOR EXTENSION WORK IN AGRICULTURE AND HOME ECONOMICS. (a) To aid in diffusing among the people of Alabama in the several counties thereof useful and practical information on subjects relating to agriculture and home economics; to provide for the continuance and improvement of farm and home demonstration work; to provide for the training of men and women leaders; to provide for organizing clubs of farm people, including men, women, boys and girls, for the improvement of agriculture and farm home life; to promote the welfare of the rural districts by other forms of extension work in Agriculture and Home Economics; and to aid in securing for expenditure in Alabama the full amounts of federal funds appropriated conditionally to Ala-

bama by the Congress of the United States under the Act approved May 8, 1914, and generally known as the Smith-Lever Act for Extension Work in Agriculture and Home Economics, and other supplementary and related Acts for Extension Work in Agriculture and Home Economics, there is appropriated to the Alabama Polytechnic Institute for each of the fiscal years ending September 30, 1950, and September 30, 1951, the sum of \$450,000.00. (b) The funds appropriated under (a) in this section shall be expended under the general direction of the Board of Trustees of the Alabama Polytechnic Institute, through its Extension Service, for paying any and all bills and other items carrying out the aims and purposes of this section and in such manner as to aid in securing for Extension Work in Alabama in any year the maximum amounts of all federal funds conditionally appropriated for that year by an Act of Congress of the United States approved May 8, 1914, and generally known as the Smith-Lever Act for Extension Work in Agriculture and Home Economics, and other federal acts supplementary and related thereto. (c) For each of the fiscal years ending September 30, 1950, and September 30, 1951, there is hereby appropriated the sum of \$75,000.00 for use by the Extension Service of the Alabama Polytechnic Institute for the following uses, and purposes: (1) For the payment of salaries for marketing specialists, \$36,000.00; (2) For the payment of traveling expenses for marketing specialists, \$11,300.00; (3) For the payment of clerks and stenographers, \$10,800.00; (4) For other expenses, \$16,900.00.

Section 13. ALABAMA POLYTECHNIC INSTITUTE FOR AGRICULTURAL RESEARCH. (a) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Alabama Agricultural Experiment Station of Alabama Polytechnic Institute for the support of the work of the main station at Auburn, and for cooperative experiments with farmers, the sum of \$350,000.00.

(b) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Tennessee Valley Branch Station located at Bell Mina in Limestone County, the sum of \$12,500.00.

(c) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Sand Mountain Branch Station located at Crossville in DeKalb County, the sum of \$12,500.00.

(d) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Black Belt Branch Station located at Marion Junction in Dallas County, the sum of \$14,900.00.

(e) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Wiregrass Branch Station located at Headland in Henry County, the sum of \$12,500.00.

(f) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Gulf Coast Branch Station located at Fairhope in Baldwin County, the sum of \$14,900.00.

(g) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Piedmont Experimental Branch Station, the sum of \$14,900.00.

(h) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Upper Coastal Plains Branch Station, the sum of \$14,900.00.

(i) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the operation and maintenance of the Lower Coastal Plains Branch Station, the sum of \$14,900.00, conditional upon the establishment of the Lower Coastal Plains Branch Station in accordance with Act No. 222, Acts 1945, page 344.

(j) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the support of researches and experiments on experiment fields, the sum of \$24,000.00.

(k) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Alabama Polytechnic Institute, the sum of \$10,000.00 to be used for maintenance and operation of the Central Artificial Insemination Unit.

(l) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the operation and maintenance of the Farm Machinery Building, the sum of \$11,600.00.

(m) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the operation and maintenance of the Horticultural Branch Station in Chilton County, the sum of \$12,500.00.

(n) There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the operation and maintenance of the Horticultural Branch Station in North Alabama, the sum of \$12,500.00.

(o) That all research work and experimentation contemplated by the spirit and purposes of this section shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of the Alabama Polytechnic Institute, who shall make a complete report to the Board of Trustees of the Alabama Polytechnic Institute for each of the fiscal years ending September 30, 1950, and September 30, 1951.

(p) The funds provided in this section shall be used for the support of researches, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production, marketing, and curing of all kinds of livestock and

livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants, for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut, and vegetable crops; for the study of plant and animal disease, and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion; for researches to discover new uses of land; for the provisions of necessary land, buildings, fencing, livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable, and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

Section 14. The funds appropriated herein for the support of the four divisions of the Alabama Polytechnic Institute shall be used exclusively for the operation of the division for which appropriated.

Section 15. **TEACHERS' RETIREMENT SYSTEM.** There is hereby appropriated for each of the fiscal years ending September 30, 1950, and September 30, 1951, to the Teachers' Retirement Fund, to be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund, the sum of \$3,250,000.00; provided, that such other amounts as may be necessary to maintain an actuarially sound Teachers' Retirement System are hereby appropriated from the Alabama Special Educational Trust Fund Surplus Account, to be deposited in the Teachers' Retirement Fund upon the approval of the Governor.

Section 16. **MISCELLANEOUS.** There is hereby appropriated to the State Board of Education for each of the fiscal years ending September 30, 1950, and September 30, 1951, for the maintenance and support of the schools, agencies, services, and institu-

tions under its control, the following amounts: (a) For the Illiteracy Fund, \$12,500.00; (b) For the Teacher Training Equalization Fund, \$840,034.00; (c) For the Special Agencies; (1) Vocational Education, \$2,129,900.00; (2) Physical Restoration of Crippled Children, \$335,000.00; (3) Civilian Rehabilitation, \$325,000.00; (d) For the Alabama School of Trades and Industries, \$122,000.00; (e) For State Teachers Colleges: (1) State Teachers College at Florence, \$95,500.00; (2) State Teachers College at Jacksonville, \$95,500.00; (3) State Teachers College at Livingston, \$88,500.00; (4) State Teachers College at Troy, \$88,500.00; (5) Alabama State College for Negroes, \$400,000; (f) For Agricultural and Mechanical Institute at Normal, \$330,000.00 for the fiscal year ending September 30, 1950, and \$390,000.00 for the fiscal year ending September 30, 1951; (g) For special appropriation for the Public School Fund, \$500,000.00; (h) For Elementary Teachers' Scholarship Fund, \$25,000.00; (i) For Regional Education, \$75,000.00; (j) For Teachers' Special Pension Fund (Act No. 209, 1945 Legislature) \$80,000.00; (k) For the Vocational Trade School at Napier Field, \$104,000.00 and the Trade School at Wenonah, \$74,000.00; (l) For Temperance Education, \$25,000.00.

Section 17. ALABAMA INSTITUTE FOR DEAF AND BLIND: For the maintenance, support, insurance, and upkeep of the Alabama Institute for Deaf and Blind, an educational institution which is a division of the public schools of Alabama, \$730.00 per pupil per annum, such appropriation to be based on the number of pupils enrolled on the first day of January of each year, and to be drawn quarterly in advance by the Alabama Institute for Deaf and Blind and to be disbursed as directed by said board.

Estimated \$585,000.00

(Any balance from the above appropriation to the Alabama Institute for Deaf and Blind shall remain in the hands of the treasurer of said institution and shall not revert to the State Treasurer.)

For salaries and expenses incident to instruction
of adult blind \$ 30,000.00

Total \$615,000.00

Section 18. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and the rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, upon approval by the Governor, shall issue his warrant therefor; provided, that all appropriations and funds made available to the Alabama College, the University of Alabama, the Alabama Polytechnic Institute, the Institute for the Deaf and Blind, and the Teachers' Retirement System by the provisions of this Act shall be paid upon

requisition upon the Comptroller made in the manner now provided by law.

Section 19. The appropriation for teacher retirement in any amounts over and above \$3,250,000.00 shall be payable from the Alabama Special Educational Trust Fund Surplus Account and all other appropriations provided in this Act, including \$3,250,000.00 for teacher retirement, shall be payable from the monies in the state treasury to the credit of the Alabama Special Educational Trust Fund, and in the event that such trust fund is insufficient to cover the appropriations provided in this Act, then the balance of said appropriations shall be payable out of the monies in the state treasury to the credit of the Alabama Special Educational Trust Fund Surplus Account; provided, that not more than one-half the unappropriated surplus remaining in the Alabama Special Educational Trust Fund Surplus Account on September 30, 1949, shall be used during the fiscal year ending September 30, 1950.

Section 20. The provisions of this Act are severable. In any section, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 21. All laws and parts of laws, general, special, private, or local, in conflict with the provisions of this Act are hereby expressly repealed.

Section 22. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

RECESS

At 12:50 P. M. on motion of Mr. Fite and pending further consideration of H. B. 380, the Senate took a recess until 2:00 P. M. this afternoon.

Yeas 17; Nays 15.

Yeas:

Messrs.:	Gulledge	Kimbrell	Patterson	
Burnside	Hardwick	Lamberth	Perry	
Coleman	Harvey	Langan	Russell	
Fite	Hooton	Mize	Summerlin	
Gaither	Howle			—17

Nays:

Messrs.:	Clayton	Hughes	Patton	
Allen	Glover	Kendall	Quarles	
Boutwell	Golson	Lowe	Swift	
Cater	Henderson	Owens	Wright	
				—15

AFTERNOON SESSION

THIRTY-FOURTH LEGISLATIVE DAY

FRIDAY, AUGUST 26, 1949

The Senate re-assembled at 2:00 P. M., Lieutenant Governor Inzer presiding.

ROLL CALL

Present:

Messrs.:	Gaither	Hughes	Patterson
Allen	Glover	Kendall	Patton
Boutwell	Golson	Kimbrell	Perry
Bridges	Gulledge	Lamberth	Quarles
Burnside	Hardwick	Langan	Russell
Cater	Harvey	Lowe	Summerlin
Clayton	Henderson	Mize	Swift
Coleman	Hooton	Owens	Wright
Fite	Howle		

—33

BILLS ON THIRD READING

The Bill:

S. 318. To repeal Act 710, approved October 9, 1947, and to make an appropriation to discharge the administrative expense incurred by the State Highway Patrol Retirement Board during the period from January 1, 1948, to September 30, 1949.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the bill, to-wit:

Amend Section 3 of Senate Bill 318 by changing the figure "\$5,000.00" to the figure "\$4,000.00".

Mr. Mize offered the following substitute for the bill and pending Committee amendment, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act 710, approved October 9, 1947; to provide for the transfer to the Employees' Retirement System all of the cash and securities held in the State Highway Patrol Retirement Fund; to provide for the transfer of members of the State Highway Patrol Retirement System to membership in the Employees' Retirement System as Patrolmen of the Division of Highway Patrol; and to make an appropriation to discharge the administrative expense incurred by the State Highway Patrol Retirement Board during the period from January 1, 1948, to September 30, 1949.

Be It Enacted by the Legislature of Alabama:

Section 1. Act Number 710, General Acts 1947, approved October 9, 1947, shall be repealed as of October 1, 1949. All of the cash, securities, or other property held in the State Highway Patrol Retirement Fund created by said Act shall be transferred and credited to the Pension Accumulation Fund of the Employees' Retirement System as of that date and thereupon the State Highway Retirement Board shall be terminated. All State Patrolmen who are then members shall be transferred to the membership of the Employees' Retirement System as of that date and shall thereafter participate in such system as Patrolmen of the Division of State Highway Patrol.

Section 2. The State Highway Patrol Retirement Board shall certify for each member the amount contributed by him to the Fund to October 1, 1949, including any amounts previously transferred from the Employees' Retirement System, and any interest allowed on his contributions. An amount equal to the amount so certified shall be transferred from the Pension Accumulation Fund of the Employees' Retirement System and credited to the individual accounts of the members in the Annuity Savings Fund of the Employees' Retirement System in order to show (1) the amount of regular contributions accumulated at the rate of $3\frac{1}{2}\%$ on earnable compensation with interest allowed in accordance with the provisions of the Employees' Retirement System Act and (2) the amount credited to the individual accounts in excess of such regular accumulated contributions. Such amount in excess of the regular accumulated contributions shall be credited to the individual accounts of members as additional contributions or shall be returned to the members upon demand. All pensions payable as of said date by the State Highway Patrol Retirement Fund shall be continued and paid thereafter from the Pension Accumulation Fund of the Employees' Retirement System.

Section 3. For the fiscal year ending September 30, 1950, there is hereby appropriated from moneys in the State Treasury not otherwise appropriated the sum of \$4,000 or so much thereof as may be necessary to discharge the administrative expense incurred by the State Highway Patrol Retirement Board during the period from January 1, 1948, to September 30, 1949.

Section 4. On or before October 1, 1949, The State Highway Patrol Retirement Board shall certify to the State Comptroller the amount of the liability incurred by said Board as administrative expense during the period from January 1, 1948, to September 30, 1949; and the State Comptroller shall set up the amount so certified as payable in the fiscal year ending September 30, 1950, to the Board of Trustees of the Employees' Retirement System for the purpose herein defined.

Section 5. This Act shall become effective immediately upon its passage or approval, or its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Glover	Hughes	Patterson
Allen	Gulledge	Kendall	Patton
Boutwell	Hardwick	Kimbrell	Perry
Burnside	Harvey	Lamberth	Quarles
Cater	Hooton	Mize	Summerlin
Coleman	Howle	Owens	Wright
Fite			

—24

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Fite	Hooton	Owens
Allen	Glover	Howle	Patterson
Boutwell	Golson	Hughes	Patton
Burnside	Gulledge	Kendall	Perry
Cater	Hardwick	Lamberth	Quarles
Coleman	Harvey	Mize	Wright

—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 518. To authorize the incorporation with respect to the several municipalities in this state of nonprofit public corporations for the purpose of promoting industry, developing trade, and furthering the use of agricultural and natural resources; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporations; to authorize such corporations to issue bonds payable solely from the revenues and receipts derived from any such properties and to secure such bonds by pledges of such revenues and receipts and by mortgages on such properties; to authorize the refunding of any such bonds; to provide that all bonds of such corporations shall be negotiable instruments; to provide for remedies in the event of default in such bonds; to exempt from taxation such corporations and their properties and income, and their bonds and the income therefrom; to provide that such municipalities shall not be liable for any obligations or agreements of such corporations; to provide for the disposition of any earnings of the corporation; to provide that upon dissolution of such corporations all funds held by them and title to their properties shall vest in the municipalities with respect to which they are organized; to provide for the filing of the certificates of incorporation, deeds to such corporations, and their mortgages and certificates of dissolution without the payment of any taxes; and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

By Mr. Patton:

S. 571. To amend Section 283 of Title 26 of the Code of Alabama (1940), as amended by Act No. 36, approved June 2, 1949, relating to Workmen's Compensation.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 554. To amend Section 4 of Act 515, General Acts of 1945, p. 734.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 85. To amend Section 6 of Title 27 of the Code of Alabama (1940), as amended by Section 1 of Act No. 242, S. B. 316, approved June 22, 1943, relating to adoption of a minor child by stepfather or stepmother.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 481. To authorize the Director of Industrial Relations to enter into leases for office space in Montgomery with the Alabama State Employment Security Corporation on such terms as said Corporation shall be empowered to tender for the rental of office or storage space provided said leases shall not constitute debts of the State within the meaning of any constitutional inhibition; to authorize the Director of Industrial Relations to accept grants from the Federal Government for the payment in whole or in part of any rental payments under such leases; to authorize said Director to pay out of interest and penalties of unemployment contributions such rental payments to the extent of any deficiency in any Federal grant or other appropriation for such rental; to pledge, in the event of such a deficiency, such interest and penalties to the State Treasurer as trustee for the security holders of the Corporation; to authorize other state officers to enter into like leases to the extent the Department

of Industrial Relations does not or cannot take space in said building; and to provide that this Act shall be severable.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Messrs. Adams (Jefferson) and Denton:

H. 779. To amend Section 9 of Title 14 of the Code of Alabama (1940), which relates to the punishment for inducing an abortion.

Also:

By Mr. Callahan:

H. 739. To amend Section 587 of Title 37 of the 1940 Code of Alabama (relating to appeal from Recorder's Court).

Also:

By Mr. Adams (Jefferson):

H. 1038. To amend Section 726 of Title 7 of the 1940 Code of Alabama.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 779 and 1038. To the Committee on Judiciary.

H. B. 739. To the Committee on Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Wallace:

H. 396. To declare the necessity for and to create a State Housing Corporation to provide housing to relieve the congested and unsanitary housing conditions which exist in certain areas of the State; defining the powers and duties of the corporation; authorizing the borrowing of money, the issuance of securities, and the pledge of revenues; providing remedies for security holders; and providing that Veterans shall have first priority to housing facilities made available by the provisions of this Act.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 396. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Wallace:

H. 8. To make an appropriation to the Southern Governors' Conference for the purpose of assisting their efforts to secure equal freight rates for the South.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 8. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Harris:

H. 1130. To make an additional appropriation to the Legislative Reference Service of Alabama for each of the fiscal years 1949-50 and 1950-51.

And ordered same sent forthwith to the Senate without engrossment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1130. To the Committee on Finance and Taxation.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Cater further consideration of the bills, H. B. 729 and H. B. 720, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

By Messrs. Cater, Fite and Allen:

S. 482. To authorize the Director of Industrial Relations, the Director of Employment Service, and the Director of Unemployment Compensation to become a public corporation for the purpose of acquiring land from the State upon which it shall, at a cost not to exceed nine hundred and fifty thousand dollars, to cause to be constructed under contract or contracts awarded to the lowest and best bidder and supervised by the Building Commission of 1945, an office building or a related group of buildings; to operate and maintain or cause to be operated and maintained said office building; to borrow money and to issue evidence of indebtedness in the form of bonds or other securities of said corporation, which bonds and securities shall not be debts of the State of Alabama within the meaning of any constitutional or statutory prohibition; to lease space on terms not contrary to the Constitution of Alabama in said building giving preference in such leasing to the Department of Industrial Relations; to regulate and prescribe terms, conditions and covenants under which other State agencies shall lease space in said buildings and to authorize the Corporation to enter into covenants and agreements with respect to said bonds or other securities so as better to secure the payment of the principal and interest thereon.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cater, the Senate concurred in and adopted the following House amendment to the bill, S. B. 482, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 482

Amend Section 13 of S. B. 482 by striking out the period at the end of the second sentence thereof and in lieu thereof substituting the following:

”, including principal and interest.”

Yeas 27; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Owens
Allen	Fite	Hughes	Patterson
Boutwell	Gaither	Kendall	Patton
Bridges	Gulledge	Lamberth	Quarles
Burnside	Hardwick	Langan	Russell
Cater	Harvey	Lowe	Summerlin
Clayton	Henderson	Mize	Swift

—27

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 326. Relating to the identification of motor vehicles owned by the State; making it a misdemeanor for any person to operate a motor

vehicle owned by the State which is not identified or marked as required by this Act.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Senate non-concurred in the following House amendment to the bill, S. B. 326, the title of which is set out in the foregoing Message from the House, to-wit:

To Amend Senate Bill No. 326 by adding thereto Section 11½ as follows:

"Section 11½. The provisions of this Act shall not apply to State-owned motor vehicles which are operated by employees of the State who are Law Enforcement Officers enforcing the criminal laws."

Yeas 21; Nays 8.

Yeas:

Messrs.:	Clayton	Henderson	Patton
Allen	Coleman	Hughes	Quarles
Boutwell	Gaither	Kendall	Russell
Bridges	Glover	Lowe	Swift
Burnside	Golson	Patterson	Wright
Cater	Gulledge		

—21

Nays:

Messrs.:	Harvey	Lamberth	Mize
Fite	Howle	Langan	Perry
Hardwick			

—8

And requested Committee on Conference.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Boutwell, Glover and Gaither.

REPORT FROM RULES

Mr. President and Members of the Senate:

Your Committee on Rules reports herewith for immediate action the Governor's message with reference to Senate Bill 465 with the recommendation that the Senate do not accept the Governor's amendments and that the bill pass, the Governor's objections to the contrary notwithstanding.

G. R. SWIFT.

August 26, 1949.

CONSIDERATION OF GOVERNOR'S MESSAGE

The Senate proceeded to further consideration of the Message from His Excellency, the Governor, proposing an amendment to the bill:

S. 465. To amend Section 111 of Title 17 of the 1940 Code of Alabama, as amended, which relates to the time of opening and closing polls where voting machines are used.

Which said Governor's Message is set out in the Journal of the Senate for the Thirty-fourth Legislative Day.

On motion of Mr. Langan, the Senate non-concurred in the amendment proposed by His Excellency, the Governor, to the bill S. 465, to-wit:

Yeas 22; Nays 10.

Yeas:

Messrs.:	Clayton	Hughes	Perry	
Allen	Coleman	Kendall	Quarles	
Boutwell	Gulledge	Langan	Russell	
Bridges	Hardwick	Lowe	Swift	
Burnside	Henderson	Mize	Wright	
Cater	Hooton	Patterson		—22

Nays:

Messrs.:	Golson	Kimbrell	Patton	
Fite	Harvey	Lamberth	Summerlin	
Glover	Howle	Owens		—10

Which was a majority of the whole number elected to the Senate.

And the Senate reconsidered said bill: and said bill was again read at length and passed, the Governor's objections to the contrary notwithstanding.

Yeas 26; Nays 5.

Yeas:

Messrs.:	Coleman	Kendall	Patton	
Allen	Glover	Lamberth	Perry	
Boutwell	Gulledge	Langan	Quarles	
Bridges	Hardwick	Lowe	Russell	
Burnside	Henderson	Mize	Swift	
Cater	Hooton	Owens	Wright	
Clayton	Hughes	Patterson		—26

Nays:

Messrs.:	Golson	Howle	Kimbrell	
Fite	Harvey			—5

Which was a majority of the whole number elected to the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the follow-

ing enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 543. Relating to Crenshaw County: To amend Act 83, H. B. 68, approved March 4, 1931 (Local Acts of 1931 p. 21), entitled "An Act To Provide for the election of a County Superintendent of Education for Crenshaw County, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term, and compensation of such officer."

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after it's title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

NOTICE IN WRITING

Mr. Gulledge offered the following notice in writing, to-wit:

Notice is hereby given that on the next legislative day I will move that the Senate adopt the following as Senate Rule 58:

"58. All general bills on third reading or on special order shall have consideration prior to consideration of local bills or general bills having local application, except by unanimous consent of the Senate."

Which was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolution with the original Senate Joint Resolution and finds same correctly enrolled, to-wit:

S. J. R. 73. Relative to; The naming of Senate Bill 4, and Senate Bill 6.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after it's title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution;

the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 478. To revise Act No. 183, H. B. 62, approved June 18, 1943, entitled "An Act To create a State Planning Board and to provide for the appointment, removal, term, and compensation of the members thereof; to fix the powers, authority, and duties of the board; to provide for the appointment of a director of the board and for the selection of employees; and to make an appropriation for the maintenance and operation of the board," by amending Sections 2 and 5 and repealing Section 6 thereof.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Senate concurred in and adopted the following House amendment to the bill, S. B. 478, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SENATE BILL 478

Amend Section 2 of Senate Bill 478 by striking therefrom the words and figures "five thousand dollars (\$5,000.00)" and inserting in lieu thereof the words and figures "seven thousand five hundred dollars (\$7,500.00)."

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Patton	
Allen	Gaither	Kimbrell	Perry	
Boutwell	Golson	Lamberth	Quarles	
Bridges	Gulledge	Langan	Russell	
Burnside	Hardwick	Lowe	Summerlin	
Cater	Henderson	Mize	Swift	
Clayton	Howle	Owens	Wright	
Coleman	Hughes	Patterson		—30

Nays:

—0

And said bill, as thus amended by the House amendment, was again read at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Bridges	Clayton	Gaither
Allen	Burnside	Coleman	Golson
Boutwell	Cater	Fite	Gulledge

Hardwick	Lamberth	Patterson	Russell	
Henderson	Langan	Patton	Summerlin	
Howle	Lowe	Perry	Swift	
Hughes	Mize	Quarles	Wright	
Kendall				—28
<i>Nays:</i>				—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 184. To require all persons on the payroll of the State, its departments, agencies, county and city governments, school districts, boards of education, and all other subdivisions of the State to take a loyalty oath; prescribing the form of the oath, and providing that any person who makes a false oath is guilty of a felony.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Owens, the Senate concurred in and adopted the following House amendment to the bill, S. B. 184, the title of which is set out in the foregoing Message from the House, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To require all persons on the payroll of the State, its departments, agencies, county and city governments, school districts, boards of education, and all other subdivisions of the State to take a loyalty oath; prescribing the form of the oath, and providing that any person who makes a false oath is guilty of a felony, and providing for the removal from the payroll of any such person advocating the principals of communism.

Be It Enacted by the Legislature of Alabama:

Section 1. After the effective date of this Act, all persons who are employed by or are on the payroll of the State of Alabama, and who receive wages or salaries from the State, its departments or agencies, or who receive compensation, wages, or salaries from any county or city government or any other political subdivision of this State, including school districts and local educational systems throughout the entire State, are hereby required to take an oath they will support the Constitution of the United States and the Constitution of the State of Alabama.

Section 2. The oath required in Section 1 of this Act shall definitely state that these persons are not members of the Com-

munist Party and that they have no sympathy with the doctrines of communism.

Section 3. The oath required by Section 1 of this Act shall be in the following form:

I, "_____, a citizen of the State of Alabama and of the United States (or of another state or country), being an employee of _____ and the recipient of public funds for services rendered as such an employee, do hereby solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Alabama; that I am not a member of the Communist Party; and that I have no sympathy for the doctrines of communism and will not lend my aid, my support, my advice, my counsel, nor my influence to the Communist Party or to the teachings of communism."

Section 4. If any person required by the provisions of this Act to execute a loyalty oath fails to sign such an oath, or advocates any of the principals of communism, then the governing authority under whom such person is employed must cause that person's name to be taken from the payroll and that person must not be permitted to receive any payment from the State or any of its political subdivisions in any manner whatsoever.

Section 5. The provisions of this Act shall apply to all elected officers of this State, including the Governor and constitutional officers as well as elected officials of any political subdivision of the State of Alabama, including local school board officials.

Section 6. Any person who makes a false loyalty oath is guilty of a felony, and upon conviction shall, at the discretion of the jury, be imprisoned in the penitentiary for not less than one nor more than three years.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws in conflict with this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 30; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell
Bridges
Burnside
Cater
Clayton
Coleman

Fite
Gaither
Glover
Golson
Gulledge
Hardwick
Henderson
Hooton

Howle
Hughes
Kendall
Kimbrell
Lamberth
Lowe
Mize
Owens

Patterson
Patton
Quarles
Russell
Summerlin
Swift
Wright

—30

Nays:

—0

And said bill, as thus amended by the House amendment, was again read at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patterson
Allen	Gaither	Kendall	Patton
Boutwell	Golson	Lamberth	Quarles
Bridges	Gulledge	Langan	Russell
Burnside	Hardwick	Lowe	Summerlin
Cater	Henderson	Mize	Swift
Clayton	Hooton	Owens	Wright
Coleman	Howle		

—29

Nays:

—0

RESOLUTIONS

Mr. Patterson offered the following Senate Joint Resolution, to-wit:

S. J. R. 80. BE IT RESOLVED BY THE SENATE OF ALABAMA, the House concurring, that Senate Bill 85 which has passed both Houses, be now named the Patterson-Black Bill.

And on motion of Mr. Patterson, the rules were suspended and the resolution adopted by the Senate.

Mr. Cater offered the following Senate Joint Resolution, to-wit:

S. J. R. 81. Be it Resolved by the Senate, the House of Representatives concurring that Senate Bill 482 be known as the Cater, Fite, Allen and Johnston Bill.

And on motion of Mr. Cater, the rules were suspended and the resolution adopted by the Senate.

Mr. Cater offered the following Senate Joint Resolution, to-wit:

S. J. R. 82. Be it Resolved by the Senate, the House of Representatives concurring that Senate Bill 481 be known as the Cater, Fite, Allen, Inzer and Roberts Bill.

And on motion of Mr. Cater, the rules were suspended and the resolution adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 446. To provide for the approval of plans and specifications and the inspection and supervision of construction by the State Building Commission of new armories built within the State.

Also:

S. 206. To amend Act No. 128, H. B. 129, approved June 16, 1945, entitled, "An Act To create a Building Commission and establish a fund therefor; to provide for its organization and to define its powers and duties; and to appropriate funds for the use of the Commission so created and provide how they may be allocated," (General Acts of 1945, pp. 116-125).

Also:

S. 172. To merge the building commission created by Section 365 of Title 55 of the Code of Alabama (1940), the commission to acquire land created by Section 15 of Title 55 of the Code of Alabama (1940), and the Alabama Building Corporation, with the Building Commission of 1945; and making an appropriation for the maintenance and operation of the Building Commission of 1945 for the next two fiscal years.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the bill:

S. 326. Relating to the identification of motor vehicles owned by the State; making it a misdemeanor for any person to operate a motor vehicle owned by the State which is not identified or marked as required by this Act.

Messrs. Roberts, Meeks and Benford were appointed as Conferees on the part of the House.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 427. To amend Section 15 of Title 55 of the Code of Alabama (1940), which relates to the acquisition of real property in the proximity of the capitol.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Patton, the Senate concurred in and adopted the following House amendment to the bill, S. B. 427, the title of which is set out in the foregoing Message from the House, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend § 15 of Title 55 of the Code of Alabama (1940) which

relates to the acquisition of real property in the proximity of the Capitol.

Be It Enacted by the Legislature of Alabama:

§ 1. § 15 of Title 55 of the Code of Alabama (1940), which relates to the acquisition of real property in the proximity of the Capitol, is amended to read:

"§ 15. The Governor, the Chief Justice of the Supreme Court, and the Attorney General are hereby authorized to acquire by purchase such real property in the City of Montgomery in proximity to the Capitol for the use of the State of Alabama, for State purposes, as in their judgment may be necessary, and in the event they shall be unable to acquire such property by purchase, they are hereby authorized to have instituted in the name of the State of Alabama, in the proper court, condemnation proceedings for the acquisition of such property. The purchase price of the property so bought shall be paid on certificate of the Governor, the Chief Justice of the Supreme Court, and the Attorney General, and a majority of these shall have full power to act in all matters arising under this Section. Such officers shall not incur any liability under the provision of this Section and shall not expend any money unless the Legislature has appropriated a specific amount for the purposes of this Section. Provided, However, That for the purpose of acquiring a site for the building as authorized to be constructed under the direction and supervision of the Building Commission of 1945, for the Alabama State Employment Security Corporation under the provisions of either House Bill No. 720 or Senate Bill No. 482 of the 1949 Legislature, there is hereby appropriated out of the state treasury to the Building Commission of 1945 a sum of money sufficient to acquire such site to be released upon order of the Building Commission of 1945."

§ 2. This Act shall become effective October 1, 1949.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Coleman	Kendall	Patton
Allen	Golson	Kimbrell	Quarles
Boutwell	Gulledge	Lamberth	Russell
Bridges	Hardwick	Lowe	Summerlin
Cater	Henderson	Mize	Swift
Clayton	Hughes	Owens	Wright

—23

Nays:

—0

And said bill, as thus amended by the House amendment, was again read at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	*Patterson
Allen	Golson	Kendall	Patton
Boutwell	Gulledge	Kimbrell	Quarles
Bridges	Hardwick	Lamberth	Russell
Burnside	Henderson	Lowe	Summerlin
Cater	Hooton	Mize	Swift
Clayton	Howle	Owens	Wright
Coleman			

—28

Nays:

—0

UNFINISHED BUSINESS

BILLS ON THIRD READING RESUMED

The Senate proceeded to further consideration of

The Bill:

H. 380. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama.

as amended, and pending substitute which substitute is set out in the Journal of the Morning Session.

Mr. Allen moved to lay on the table the substitute for the bill, H. B. 380 as amended, which motion was lost.

Yeas 15; Nays 17.

Yeas:

Messrs.:	Coleman	Kendall	Quarles
Allen	Glover	Lowe	Russell
Burnside	Golson	Patton	Swift
Clayton	Henderson	Perry	Wright

—15

Nays:

Messrs.:	Gaither	Hughes	Mize
Bridges	Gulledge	Kimbrell	Owens
Boutwell	Hardwick	Lamberth	Patterson
Cater	Harvey	Langan	Summerlin
Fite	Howle		

—17

EXPLANATION OF VOTE

The reason I am voting for the motion to table the Burnside amendment is because I believe that this amendment, if adopted,

will result in the proration of the funds appropriated from the Special Educational Trust Fund.

Albert Boutwell.

Mr. Allen then offered the following amendment to the substitute for the bill, as amended, to-wit:

Amend Substitute for House Bill 380 as amended by adding after Section 19 the following section:

"Section 19A.—Notwithstanding any provision of this Act to the contrary, it is expressly provided that if the net tax revenues, exclusive of sales tax token redemption funds and general fund appropriation, accruing to the Alabama Special Educational Trust Fund during the fiscal year 1948-1949 amount to less than \$53,000,000 then each and every appropriation made herein shall be reduced by an amount equal to three per centum thereof; and be it further enacted that if such tax revenues for the fiscal year 1949-1950 amount to less than \$53,000,000 then each and every appropriation herein made for the second year of the biennium shall be reduced by an amount equal to three per centum thereof.

Mr. Burnside moved to lay on the table, the amendment offered by Mr. Allen, and the motion to table was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Gaither	Howle	Owens	
Bridges	Gulledge	Kimbrell	Patterson	
Burnside	Hardwick	Lamberth	Summerlin	
Fite	Harvey	Mize		—14

Nays:

Messrs.:	Glover	Kendall	Quarles	
Allen	Golson	Langan	Russell	
Boutwell	Henderson	Lowe	Swift	
Clayton	Hooton	Patton	Wright	
Coleman	Hughes	Perry		—18

And the amendment offered by Mr. Allen to the substitute for the bill, as amended, was then adopted.

Yeas 17; Nays 14.

Yeas:

Messrs.:	Glover	Kendall	Perry	
Allen	Golson	Langan	Quarles	
Boutwell	Henderson	Lowe	Russell	
Clayton	Hooton	Patton	Swift	
Coleman	Hughes			—17

Nays:

Messrs.:	Fite	Howle	Owens	
Bridges	Gulledge	Kimbrell	Patterson	
Burnside	Hardwick	Lamberth	Summerlin	
Cater	Harvey	Mize		—14

Mr. Coleman then offered the following amendment to the substitute, as amended, for the bill, as amended, to-wit:

Amend Burnside substitute, as amended, for H. B. 380, as amended, by amending Section 1 to read as follows:

Section 1. The following appropriations, aggregating \$61,-121,787.00 for the fiscal year ending September 30, 1950, and \$61,-181,787.00 for the fiscal year ending September 30, 1951, with some items shown as estimates, are hereby made for the support of public education in Alabama; and, except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions, and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama, 1940).

Which was adopted.

Yeas 26; Nays 2.

Yeas:

Messrs.:	Fite	Howle	Owens	
Allen	Golson	Hughes	Patton	
Boutwell	Gulledge	Kendall	Quarles	
Burnside	Hardwick	Kimbrell	Russell	
Cater	Harvey	Langan	Summerlin	
Clayton	Henderson	Lowe	Wright	
Coleman	Hooton	Mize		—26

Nays: Messrs. Patterson and Swift. —2

And the substitute offered by Mr. Burnside, et al. as amended, for the bill, as amended, was then adopted.

Yeas 19; Nays 11.

Yeas:

Messrs.:	Gaither	Hughes	Owens	
Bridges	Gulledge	Kimbrell	Patterson	
Burnside	Hardwick	Lamberth	Russell	
Cater	Harvey	Langan	Summerlin	
Fite	Howle	Mize	Wright	
				—19

Nays:

Messrs.:	Clayton	Henderson	Patton	
Allen	Coleman	Kendall	Quarles	
Boutwell	Glover	Lowe	Swift	
				—11

Mr. Hardwick then offered the following amendment to the bill, as amended, to-wit:

Amend House Bill 380 as amended by striking Section: 19 A and inserting in lieu thereof the following section:

"Section 19A.—Notwithstanding any provision of this Act to the contrary, it is expressly provided that if the net tax revenues, exclusive of sales tax token redemption funds and general fund appropriation, accruing to the Alabama Special Educational Trust Fund during the fiscal year 1948-1949 amount to less than \$53,000,000 then each and every appropriation made herein shall be reduced by an amount equal to one per centum thereof; and be it further enacted that if such tax revenues for the fiscal year 1949-1950 amount to less than \$53,000,000 then each and every appropriation herein made for the second year of the biennium shall be reduced by an amount equal to one per centum thereof.

Mr. Allen moved to lay on the table the amendment offered by Mr. Hardwick to the bill, as amended, and the motion to table was lost.

Yeas 15; Nays 17.

Yeas:

Messrs.:	Coleman	Kendall	Quarles
Allen	Glover	Langan	Russell
Boutwell	Golson	Lowe	Swift
Clayton	Henderson	Patton	Wright

—15

Nays:

Messrs.:	Gaither	Howle	Mize
Bridges	Gulledge	Hughes	Owens
Burnside	Hardwick	Kimbrell	Patterson
Cater	Harvey	Lamberth	Summerlin
Fite	Hooton		

—17

The question then recurred on the amendment offered by Mr. Hardwick to the bill, as amended, which resulted in a tie vote.

Yeas 16; Nays 16.

Yeas:

Messrs.:	Gaither	Hooton	Mize
Bridges	Gulledge	Howle	Owens
Burnside	Hardwick	Kimbrell	Patterson
Cater	Harvey	Lamberth	Summerlin
Fite			

—16

Nays:

Messrs.:	Glover	Kendall	Quarles
Allen	Golson	Langan	Russell
Boutwell	Henderson	Lowe	Swift
Clayton	Hughes	Patton	Wright
Coleman			

—16

The President and Presiding Officer of the Senate voted "aye", therefore the amendment offered by Mr. Hardwick was adopted.

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 28; Nays 4.

Yeas:

Messrs.:	Golson	Hughes	Owens
Allen	Gulledge	Kendall	Patterson
Boutwell	Hardwick	Kimbrell	Quarles
Bridges	Harvey	Lamberth	Russell
Burnside	Henderson	Langan	Summerlin
Cater	Hooton	Lowe	Swift
Fite	Howle	Mize	Wright
Gaither			

—28

Nays:

Messrs.:	Coleman	Glover	Patton
Clayton			

—4

THE STATE OF ALABAMA—JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

JULY 1949

To the Senate of the State of Alabama
State Capitol
Montgomery, Alabama

Dear Sirs:

Your communication of July 12, 1949, containing inquiries under Senate Resolution No. 47 on constitutional matters relating to the Senate Committee's substitute for House Bill 232 is hereby acknowledged and will be hereto attached.

We consider that the bill proposed as a substitute for House Bill 232 is not in violation of either section 45 or section 61 of the Constitution of Alabama. Examination of section 246, Title 29, Code of 1940 and section 251, Title 29, Code of 1940, as approved July 17, 1947 (Acts 1947, p. 38) and shown in Pocket Part of Title 29, Code of 1940, discloses that these sections are dealing with the distribution and disposition of the proceeds of the sale of contraband property. In considering section 45 of the Constitution of 1901 we have said that a code section may be amended by reference only to the number of the section, providing the amendment is germane to the section which is being amended.—*State ex rel. Harrington v. Randle*, 250 Ala. 472, 35 So. 2d 84. Here the proposed amendments are not only germane, but the title so discloses because it shows that the proposed amendments relate to the distribution of the proceeds of the sale of contraband property.

In connection with section 61 of the Constitution of 1901, it has been decided by this court that the original purpose of the bill within the meaning of this section is its general purpose not mere

details through which its purpose is effectuated.—State Docks Commission v. State, 227 Ala. 521, 150 So. 537. As pointed out the general purpose of both the original bill and the proposed amendment is the same, viz. to provide for the distribution of the proceeds of sales of contraband property—Opinion of the Justices, 249 Ala. 500, 31 So. 2d 644.

Respectfully submitted,

JOEL B. BROWN,
Associate Justice.
J. ED. LIVINGSTON,
Associate Justice.
THOMAS S. LAWSON,
Associate Justice.
DAVIS F. STAKELY,
Associate Justice.

OPINION RENDERED

The foregoing opinion from the Supreme Court relative to House Bill 232 requested under Senate Resolution No 47 was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

S. J. R. 80. Relative to naming Senate Bill 85.

Also:

S. J. R. 81. Relating to Naming Senate Bill 482.

Also:

S. J. R. 82. Relative to naming Senate Bill 481.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 167. To amend Section 630 of Title 7, of the Code of Alabama of 1940, pertaining to the exemption of wages, salaries or other compensation of employees or laborers in the State of Alabama.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Langan, the Senate concurred in and adopted the following House amendment to the bill, S. B. 167, the title of which is set out in the foregoing Message from the House.

SUBSTITUTE FOR SENATE BILL NO. 167

A BILL
TO BE ENTITLED
AN ACT

To amend Section 630 of Title 7, of the Code of Alabama of 1940, pertaining to the exemption of wages, salaries or other compensation of employees or laborers in the State of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 630 of Title 7 of the Code of Alabama of 1940 be amended to read as follows:

"The wages, salaries or other compensation of laborers or employees residents of this state, for personal services shall be exempt from levy under writs of garnishment or other process for the collection of debts contracted, or judgments rendered in tort, in an amount equal to sixty percent of such wages, salaries or other compensation, due or to become due to such laborers or employees, and the levy as to such percentage of their wages, salaries or other compensation shall be void. The court issuing the writ or levy shall show thereon the amount of the claim of the plaintiff and the court costs in the proceedings and should at any time during the pendency of said proceedings in the court a judgment be rendered for a different amount, then the court shall notify said garnishee of the correct amount due by the defendant under said writ or levy. The garnishee shall retain forty percent of the wages, salaries, or other compensation of the laborer or employee during such period of time as is necessary to accumulate a sum equal to the amount shown as due by the court on the writ or levy, at which time the garnishee shall pay the same into court. Should the employment of the defendant for any reason be terminated with the garnishee, then the garnishee shall, not later than fifteen days after the termination of such employment, report such termination to the court and pay into court all sums as have been withheld from the defendant's wages, salaries or other compensation. If the plaintiff in garnishment contests the answer of the garnishee, as now provided by law in such cases, and prove to the court the deficiency or untruth of the garnishee's answer then the court shall render judgment against the garnishee for such amount as would have been subject to the order of condemnation had the said sum not been released to the defendant.

Section 2. All laws, or parts of laws, general, local or special in conflict herewith are hereby expressly repealed.

Section 3. This Act will take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Mize
Allen	Fite	Kendall	Patton
Boutwell	Gaither	Kimbrell	Quarles
Bridges	Glover	Lamberth	Russell
Burnside	Gulledge	Langan	Swift
Cater	Henderson	Lowe	Wright
Clayton	Hooton		

—25

Nays: —0

And said bill, as thus amended by the House amendment, was again read at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Gaither	Hughes	Patterson
Allen	Glover	Kendall	Patton
Boutwell	Gulledge	Lamberth	Quarles
Bridges	Hardwick	Langan	Russell
Burnside	Henderson	Lowe	Summerlin
Cater	Hooton	Mize	Swift
Clayton	Howle	Owens	Wright
Coleman			

—28

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Shelton:

H. J. R. 150. WHEREAS there is in the State of Alabama about 3,000 old people known to be in need of relief or assistance and are not being provided for; there being approximately 74,500 receiving inadequate assistance, and,

WHEREAS there is a great number of citizens that are interested in these matters who would like to see these needy people properly provided for, being deeply concerned in the welfare problem of their local communities, and,

WHEREAS many of our interested citizens and local authorities have shown an interest in working out the welfare problem, a willingness to help, and in some of the counties of the state there is being made special local effort in working out these matters, there being a feeling that the local citizens should be interested in their local needy people, that these needy people need and deserve some attention from the citizens of the community, feeling that the interest of the local citizens will add to the happiness of the needy people and would mould public opinion in the right direction in the proper solution of these welfare problems,

NOW THEREFORE BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate concurring, that we memorialize the authorities having charge of our welfare matters both State and Federal that due, proper and full consideration and study be given to an effort in fostering and attaining more local interest in these matters

and that as far as possible the consideration of and the working out of these problems relating to public welfare be kept close to the people in the local communities.

BE IT FURTHER RESOLVED that a proper attested copy of this resolution be sent to the Commissioner of Public Welfare of Alabama, the Governor of Alabama, and the Commissioner, Social Security Administration, Federal Security Agency of the United States, Washington, D. C., and that a copy of this resolution be released to the press.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 150, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bill with the engrossed and original bill, respectively, and finds same correctly enrolled, to-wit:

S. 172. To merge the building commission created by Section 365 of Title 55 of the Code of Alabama (1940), the commission to acquire land created by Section 15 of Title 55 of the Code of Alabama (1940), and the Alabama Building Corporation, with the Building Commission of 1945; and making an appropriation for the maintenance and operation of the Building Commission of 1945 for the next two fiscal years.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after it's title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 193. To provide for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously and to make uniform the law with reference thereto.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

At 5:15 P. M. Mr. Owens moved that the Senate do now adjourn until Friday, September 2, 1949, at 10:00 A. M., which motion was lost.

Yeas 8; Nays 22.

Yeas:

Messrs.:	Howle	Lamberth	Owens	
Fite	Kimbrell	Langan	Patterson	
Gaither				—8

Nays:

Messrs.:	Clayton	Henderson	Patton	
Allen	Coleman	Hooton	Russell	
Boutwell	Glover	Hughes	Summerlin	
Bridges	Golson	Kendall	Swift	
Burnside	Gulledge	Lowe	Wright	
Cater	Hardwick	Mize		—22

RESOLUTION

Mr. Patterson offered the following Senate Joint Resolution, to-wit:

S. J. R. 83. Be it Resolved by the Senate of Alabama, the House concurring that Senate Bill No. 554, having passed both Houses of the Legislature, be named the Patterson, Mize, and Thagard Bill.

And on motion of Mr. Patterson the rules were suspended and the resolution adopted.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Henderson, further consideration of the bill, S. B. 412, was indefinitely postponed by the Senate.

BILL ON THIRD READING RESUMED

The Bill:

S. 121. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one senator from each county; ordering an election upon the proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

Was read a third time at length and lost for failure to receive the required Constitutional majority.

Yeas 15; Nays 11.

Yeas:

Messrs.:	Hardwick	Kendall	Patton
Burnside	Harvey	Kimbrell	Russell
Fite	Hooton	Owens	Summerlin
Gaither	Howle	Patterson	Swift

—15

Nays:

Messrs.:	Clayton	Henderson	Mize
Boutwell	Coleman	Lamberth	Quarles
Cater	Glover	Lowe	Wright

—11

POINT OF PERSONAL PRIVILEGE

At 5:20 o'clock p. m. Mr. Boutwell make known to the Senate that Senate Bill 172 had been taken to the Office of the Governor at 5 o'clock p. m. on August 26, 1949, to be presented to him by a clerk of the Senate after having been duly enrolled and signed by the presiding officers of both houses; and that the office of the Governor was locked and that at said time, that is 5 o'clock p. m., the Senate was in session, and that the bill could not be presented because the Office of the Governor was locked. Mr. Boutwell referred to the custom of long standing of the Governor's office remaining open at all times when either the House or Senate is in session. Mr. Boutwell called the Senate's attention to the fact that Mr. O. H. Finney, Secretary to the Governor, was then on the floor of the Senate. Thereupon the bill was presented by a clerk of the Senate to Mr. Finney on the floor of the Senate, and he declined and refused to accept the same. There being no objection, the presiding officer of the Senate ordered said facts to be recited in the Journal and entered as a matter of record in the journal.

BILLS ON THIRD READING RESUMED

The Bill:

H. 232. To amend Section 251 of Title 29 of the 1940 Code of Alabama (as amended by Act No. 126 of the General Acts of 1947, page 38, approved July 17, 1947), which relates to the distribution and disposition of funds derived from the sale of contraband or forfeited property under the "Alcoholic Beverage Control Law." was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the bill, to-wit:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL 232

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 246 and 251 of Title 29 of the Code of Alabama (1940), which relate to the distribution of the proceeds of sales of contraband property.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 246 and 251 of Title 29 of the Code of Alabama (1940) are amended to read as follows:

"Section 246. The property may be ordered sold and the proceeds, after paying the costs and expenses of the seizure and of the suit and after paying out of the proceeds the sum of fifty (\$50.00) dollars to the sheriff or officer or other person who secured the seizure and whose efforts resulted in obtaining the decree of condemnation, shall be paid into the State general fund.

"Section 251. The proceeds of the sale of any such property forfeited to the state, whether sold by court decree or by an officer under advertisement, shall, after paying all expenses in the cause, and of advertisement, as the case may be, including the costs of seizure and of keeping the property pending the proceedings, be applied as follows: One-half shall be paid into the general fund of the county in which the property is seized, and the other one-half shall be paid into the general fund of the state; but provided however, that when such property shall be seized by an officer of a municipality one-half thereof shall be paid into the General Fund of the municipality, one-quarter thereof shall be paid into the General Fund of the County, and the other one-quarter shall be paid into the State General Fund.

Section 2. This Act shall become effective October 1, 1949.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Gaither	Hughes	Patterson
Allen	Glover	Kendall	Patton
Boutwell	Golson	Lamberth	Quarles
Burnside	Gulledge	Langan	Russell
Cater	Harvey	Lowe	Summerlin
Clayton	Henderson	Mize	Swift
Coleman	Howle	Owens	Wright
Fite			

—28

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Boutwell	Glover	Lamberth	Quarles
Burnside	Golson	Langan	Russell
Cater	Gulledge	Lowe	Summerlin
Clayton	Hardwick	Mize	Swift
Coleman	Henderson	Owens	Wright

—27

Nays:

—0

The Bill:

H. 294. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

was taken up.

Mr. Lamberth offered the following amendment to the bill, to-wit:

AMENDMENT TO HOUSE BILL 294

Amend House bill 294 by striking therefrom the constitutional amendment set out in Section 1 and substituting therefor the following:

"Section 181. The following persons, and no others, who, if they are citizens of the United States over the age of twenty-one years and have the qualifications as to residence prescribed in Section 178 of this Article, shall be qualified to register as electors provided they shall not be disqualified under Section 182 of this Constitution: a) those who can read and write any Article of the Constitution of the United States in the English language, provided, however, that no person shall be entitled to register as an elector except those who are of good character and who understand and embrace the duties and obligations of citizenship under a republican form of government; and provided further that those persons who have registered as electors under the Alabama Constitution of 1901 shall not be required to register again; or b) those honorably discharged veterans who submit proof to the board of registrars that they served on active duty in the military or naval forces of the United States for ninety days or more during the period from December 7, 1941 to September 1, 1945."

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Swift all Senate Bills remaining on the Calendar were indefinitely postponed.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in session, has carefully examined the Journals of the Senate for the Thirty-second and Thirty-third Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

V. S. SUMMERLIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. Summerlin, the foregoing report was concurred in and the Journals of the Senate for the Thirty-second and Thirty-third Legislative days approved by the Senate.

ADJOURNMENT

At 5:55 P. M. on motion of Mr. Owens and in accordance with joint Resolution heretofore adopted and pending further consideration of H. B. 294, the Senate adjourned until Friday, September 2, 1949, at 10:00 A. M.

Yeas 16; Nays 10.

Yeas:

Messrs.:	Hardwick	Kendall	Lowe	
Clayton	Henderson	Kimbrell	Mize	
Coleman	Howle	Lamberth	Patton	
Fite	Hughes	Langan	Russell	
Glover				—16

Nays:

Messrs.:	Burnside	Patterson	Swift	
Allen	Cater	Quarles	Wright	
Boutwell	Gulledge	Summerlin		—10

THIRTY-FIFTH LEGISLATIVE DAY

FRIDAY, SEPTEMBER 2, 1949

The Senate met pursuant to adjournment, Lieutenant Governor Inzer presiding.

PRAYER

The session was opened with prayer by Rev. H. P. Mathison, Pastor, Capitol Heights Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kimbrell	Perry
Boutwell	Golson	Lamberth	Quarles
Bridges	Gulledge	Langan	Russell
Burnside	Hardwick	Lowe	Summerlin
Cater	Harvey	Mize	Swift
Clayton	Henderson	Owens	Wright
Coleman	Hooton		

—33

JOURNAL

The reading of the Journal having been reached in order of business, and at the request of Mr. Howle, the Secretary began the reading at length of the Journal of yesterday.

LEAVE OF ABSENCE

On motion of Mr. Hughes leave of absence was granted Mr. Kendall for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 380. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, and the Board of Trustees of the Alabama Institute for Deaf and Blind.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to re-

port that said Committee, in session, has compared the following Senate Joint Resolution with the original Senate Joint Resolution and finds same correctly enrolled, to-wit:

S. J. R. 79: Relative to: Thanking the Legislative Agents, who entertained the Legislature, Clerks, and Friends on August 24th, 1949.

Also:

S. J. R. 80: Relative to: The naming of Senate Bill 85.

Also:

S. J. R. 81. Relative to: The naming of Senate Bill 482.

Also:

S. J. R. 82. Relative to: The naming of Senate Bill 481.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 85. To amend Section 6 of Title 27 of the Code of Alabama (1940), as amended by Section 1 of Act No. 242, S. B. 316, approved June 22, 1943, relating to adoption of a minor child by stepfather or stepmother.

Also:

S. 167. To amend Section 630 of Title 7, of the Code of Alabama of 1940, pertaining to the exemption of wages, salaries or other compensation of employees or laborers in the State of Alabama.

Also:

S. 184. To require all persons on the payroll of the State, its departments, agencies, county and city governments, school dis-

tricts, boards of education, and all other subdivisions of the State to take a loyalty oath; prescribing the form of the oath, and providing that any person who makes a false oath is guilty of a felony, and providing for the removal from the payroll of any such person advocating the principals of Communism.

Also:

S. 193. To Provide for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously and to make uniform the law with reference thereto.

Also:

S. 206. To amend Act No. 128, H. B. 129, approved June 16, 1945, entitled, "An Act To create a Building Commission and establish a fund therefor; to provide for its organization and to define its powers and duties; and to appropriate funds for the use of the Commission so created and provide how they may be allocated," (General Acts of 1945, pp. 116-125).

Also:

S. 427. To amend § 15 of Title 55 of the Code of Alabama (1940), which relates to the acquisition of real property in the proximity of the capitol.

Also:

S. 446. To provide for the approval of plans and specifications and the inspection and supervision of construction by the State Building Commission of new armories built within the State.

Also:

S. 478. To revise Act No. 183, H. B. 62, approved June 18, 1943, entitled "An Act To create a State Planning Board and to provide for the appointment, removal, term, and compensation of the members thereof; to fix the powers, authority, and duties of the board; to provide for the appointment of a director of the board and for the selection of employees; and to make an appropriation for the maintenance and operation of the board," by amending Sections 2 and 5 and repealing Section 6 thereof.

Also:

S. 481. To authorize the Director of Industrial Relations to enter into leases for office space in Montgomery with the Alabama State Employment Security Corporation on such terms as said Corporation shall be empowered to tender for the rental of office or storage space provided said leases shall not constitute debts of the State within the meaning of any constitutional inhibition; to authorize the Director of Industrial Relations to

accept grants from the Federal Government for the payment in whole or in part of any rental payments under such leases; to authorize said Director to pay out of interest and penalties of unemployment contributions such rental payments to the extent of any deficiency in any Federal grant or other appropriation for such rental; to pledge, in the event of such a deficiency, such interest and penalties to the State Treasurer as trustee for the security holders of the Corporation; to authorize other state officers to enter into like leases to the extent the Department of Industrial Relations does not or cannot take space in said building; and to provide that this Act shall be severable.

Also:

S. 482. To authorize the Director of Industrial Relations, the Director of Employment Service, and the Director of Unemployment Compensation to become a public corporation for the purpose of acquiring land from the State upon which it shall, at a cost not to exceed nine hundred and fifty thousand dollars, to cause to be constructed under contract or contracts awarded to the lowest and best bidder and supervised by the Building Commission of 1945, an office building or a related group of buildings; to operate and maintain or cause to be operated and maintained said office building; to borrow money and to issue evidence of indebtedness in the form of bonds or other securities of said corporation, which bonds and securities shall not be debts of the State of Alabama within the meaning of any constitutional or statutory prohibition; to lease space on terms not contrary to the Constitution of Alabama in said building giving preference in such leasing to the Department of Industrial Relations; to regulate and prescribe terms, conditions and covenants under which other State agencies shall lease space in said buildings and to authorize the Corporation to enter into covenants and agreements with respect to said bonds or other securities so as better to secure the payment of the principal and interest thereon.

Also:

S. 518. To authorize the incorporation with respect to the several municipalities in this state of nonprofit public corporations for the purpose of promoting industry, developing trade, and furthering the use of agricultural and natural resources; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporations; to authorize such corporations to issue bonds payable solely from the revenues and receipts derived from any such properties and to secure such bonds by pledges of such revenues and receipts and by mortgages on such properties; to authorize the refunding of any such bonds; to provide that all bonds of such corporations shall be negotiable instruments; to provide for remedies in the event of default in such bonds; to exempt from taxation such

corporations and their properties and income, and their bonds and the income therefrom; to provide that such municipalities shall not be liable for any obligations or agreements of such corporations; to provide for the disposition of any earnings of the corporations; to provide that upon dissolution of such corporations all funds held by them and title to their properties shall vest in the municipalities with respect to which they are organized; to provide for the filing of the certificates of incorporation, deeds to such corporations, and their mortgages and certificates of dissolution without the payment of any taxes; and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

Also:

S. 554. To amend Section 4 of Act 515, General Acts of 1945, p. 734.

Also:

S. 571. To amend Section 283 of Title 26 of the Code of Alabama (1940), as amended by Act No. 36, approved June 2, 1949, relating to Workmen's Compensation.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 380. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, and the Board of Trustees of the Alabama Institute for Deaf and Blind.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a

two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

September 2, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

On December 11, 1948, I appointed, subject to your confirmation, Colonel John Donaldson, Alabama Air National Guard, as Brigadier General in the State Militia.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment of Colonel John Donaldson, was read and referred to the Standing Committee on Rules.

At 11:40 A. M. Mr. Boutwell moved that the reading at length of the Journal be dispensed with and on objection of Mr. Howle the Secretary continued with the reading at length of the Journal of yesterday.

At 12:10 P. M. Mr. Kimbrell moved that the Senate take a recess until 1:30 P. M., which motion was lost.

Yeas 9; Nays 19.

Yeas:

Messrs.:	Gaither	Kimbrell	Langan
Barrett	Harvey	Lamberth	Perry
Fite	Howle		

—9

Nays:

Messrs.:	Golson	Hughes	Patton
Allen	Gulledge	Lowe	Quarles
Boutwell	Hardwick	Mize	Russell
Coleman	Henderson	Owens	Swift
Glover	Hooton	Patterson	Wright

—19

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Rules Committee:

H. J. R. 156. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today they adjourn to meet again on Tuesday, September 6, 1949, at Nine O'clock A. M.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The resolution, H. J. R. 156, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 232. To amend Sections 246 and 251 of Title 29 of the Code of Alabama (1940), which relate to the distribution of the proceeds of sales of contraband property.

R. T. GOODWYN, JR.,
Clerk.

At 12:20 P. M., the Secretary completed the reading at length of the Journal of yesterday and same was approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered the bill:

S. 465. To amend Section 111 of Title 17 of the 1940 Code of Alabama, as amended, which relates to the time of opening and closing polls where voting machines are used.

and said Bill was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of the majority of the whole number elected to the House, said vote being Yeas 56, Nays 1.

And said bill, together with the Governor's objections thereto, is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Inzer:

H. J. R. 157. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that the Doorkeepers of the two

Houses and the Secretary of State be and they are hereby relieved of all responsibility for the Codes and Acts furnished the members of the Legislature.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hooton, the rules were suspended and the resolution, H. J. R. 157, set out in the foregoing Message from the House was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Miller:

H. J. R. 158. BE IT RESOLVED by the House, the Senate concurring that House Bill No. 380 which has passed both houses be known as the Miller, Sellers, White (Covington), Nelson, Burnside, Hardwick, Patterson, Gullede Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hooton, the rules were suspended and the resolution, H. J. R. 158, set out in the foregoing Message from the House was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 232. To amend Sections 246 and 251 of Title 29 of the Code of Alabama (1940), which relate to the distribution of the proceeds of sales of contraband property.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Harris:

H. J. R. No. 162. Be It Resolved By The House, the Senate concurring, that there be added as coauthors of House Bills 769, 770 and 771 the names of Gullledge, Hardwick and Lowe.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hooton, the rules were suspended and the resolution, H. J. R. 162, set out in the foregoing Message from the House, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, vetoing the bill, H. 635, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representative

State Capitol

Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 635, without his approval.

Respectfully submitted,

O. H. Finney, Jr.,
O. H. FINNEY, JR.,
Executive Secretary.

August 26, 1949.

To the House of Representatives

State Capitol

Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, House Bill No. 635, without my approval.

This proposed measure imposes a license and rigid regulations for hospitals and related institutions. It requires existing institutions to conform to regulations which may constitute a radical change in their existing conditions. All such regulations adopted by the State Board of Health must be with the advice and consent of the Advisory Board provided for in this bill.

This Advisory Board consists of ten members to be selected, not by the people or by an elected official responsible to the people, but by various private, professional or trade organizations. Any board with such comprehensive authority to regulate, license and revoke licenses should be directly responsible for their actions to the people of the State. Any such board otherwise constituted is contrary to the principles of good government.

For the above reason, I am respectfully returning this bill without my approval.

Respectfully,

James E. Folsom,
JAMES E. FOLSOM,
Governor.

And the bill:

H. 635. Relating to public health; to regulate through licensure, hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act.

was again read at length and passed by the House, the Governor's veto to the contrary notwithstanding, by a vote of Yeas 71, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the veto message proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to House Bill 635, the title of which is set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORT FROM RULES COMMITTEE

Mr. President and Members of the Senate:

Your Committee on Rules reports herewith a message from the Governor returning House Bill 635 without his approval with the recommendation that the bill pass the Governor's veto to the contrary notwithstanding.

(s) G. R. SWIFT.
(t) G. R. SWIFT.

FURTHER CONSIDERATION OF GOVERNOR'S MESSAGE

The Senate proceeded to further consideration of the Governor's Message vetoing the bill:

H. 635. Relating to public health: To regulate, through licensure, hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act.

Which said Governor's Message is heretofore set out in the Morning Journal.

And on motion of Mr. Wright, the Senate reconsidered the bill; and said bill, H. B. 635, was again read at length and passed the Governor's veto to the contrary notwithstanding.

Yeas 23; Nays 5.

Yeas:

Messrs.:	Coleman	Henderson	Patton
Allen	Fite	Hughes	Perry
Boutwell	Gaither	Kimbrell	Quarles
Burnside	Glover	Lowe	Russell
Cater	Golson	Mize	Swift
Clayton	Gulledge	Patterson	Wright

Nays:

Messrs.:
Hardwick

Harvey
Howle

Lamberth

Langan

—5

Which was a majority of the whole number elected to the Senate.

REPORTS OF COMMITTEES

Mr. Hooton, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Barnett:

H. 662. To apply in all counties of this State having a population of not less than 140,000 according to the last or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers and subjects related to plumbing; to provide for the appointment of the members of said Plumbers Examining Board and their term of office; to provide for the payment of compensation to the members of said Board and the employees thereof, and to provide for the payment of expenses incurred by the members of said Board and its employees; to define the powers conferred upon and duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers and journeymen plumbers; to provide for the payment of examination fees and certificate fees; to empower the said Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection handling and disbursement of monies and funds received as fees by said Board; and to provide penalties for the violation of this Act.

By Mr. Wallace:

H. 396. To declare the necessity for and to create a State Housing Corporation to provide housing to relieve the congested and unsanitary housing conditions which exist in certain areas of the State; defining the powers and duties of the corporation; authorizing the borrowing of money, the issuance of securities, and the pledge of revenues; providing remedies for security holders; and providing that Veterans shall have first priority to housing facilities made available by the provisions of this Act.

By Mr. Mitchell:

H. 461. To amend Title 51, Section 681, Code of Alabama 1940, to provide for the seizure of gasoline, upon which tax has not been paid, and other property to secure the payment of said tax; and to provide for the disposal of said property when seized by the Department of Revenue, as aforesaid, and to provide a mode of procedure whereby the owner or claimant of said property may claim same and appeal from any adverse ruling made by the Commissioner of Revenue.

By Mr. Adams (Jefferson):

H. 642. To amend Section 20 of Title 34, Code of Alabama (1940), which relates to the grounds for divorce.

By Messrs. Adams (Jefferson) and Denton:

H. 779. To amend Section 9 of Title 14 of the Code of Alabama (1940), which relates to the punishment for inducing an abortion.

By Mr. Adams (Jefferson):

H. 1038. To amend Section 726 of Title 7 of the 1940 Code of Alabama.

By Messrs. Adams (Jefferson), Beatty, Meeks and Gibson:

H. 1082. To amend Section 2 of Act No. 175 of the Acts of the Legislature of Alabama of 1943, entitled, "An Act to further define and extend the powers, authorities and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Misdemeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act," approved June 17, 1943, as amended by Act No. 165, page 57, General Acts of the Legislature of 1947, entitled, "An Act to further define and extend the powers, authority and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Misdemeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act, approved July 21, 1947.

By Mr. Adams (Jefferson) et al:

H. 1114. To amend Title 13, Section 253, Code of Alabama 1940, as amended by General Acts of the Legislature 1947, page 63, approved July 21, 1947.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Larkins and Garrett (with substitute):

H. 828. To amend Section 6 of Act No. 694 of the Legislature of Alabama of 1947 entitled "An Act To provide for the arrest and eradication of contagious and infectious diseases among animals; to authorize quarantine measures and the seizure and disposition of infected or exposed animals, and all infected real and personal property; to provide for the payment of indemnity to owners of seized animals or property; to authorize rules and regulations having the full force and effect of law; to provide for a penalty for violation hereof; and to provide an appropriation herefor," approved October 9, 1947; to provide for the annual salary of the State Veterinarian; to repeal all laws or parts of laws in conflict with this Act; and to provide for the effective date of this Act.

Mr. Henderson, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris:

H. 1130. To make an additional appropriation to the Legislative Reference Service of Alabama for each of the fiscal years 1949-50 and 1950-51.

By Mr. Wallace:

H. 377. To authorize and empower the State Treasurer to accept, in the name of and for the State of Alabama, any grant from the Federal government or any appropriation made by the Congress of the United States or any allocation of Federal Funds appropriated by the Congress of the United States to the State of Alabama for the purpose of assisting the State in financing a minimum foundation education program of public elementary and secondary schools, and in reducing inequalities of educational opportunities through public elementary and secondary schools, for the general welfare and for other purposes; to provide that, State Board of Education shall represent the State in the administration of such funds, appropriations or allocations, and to empower the State Treasurer and the State Board of Education to meet the terms imposed on such grants, appropriations or allocations provided these terms and conditions are not in conflict with the Constitution of Alabama.

By Mr. Wallace:

H. 1135. To make an additional appropriation to the Department of Finance for the fiscal years ending September 30, 1950 and September 30, 1951.

By Mr. Harris:

H. 1126. To make an additional appropriation to the Department of Health of Alabama for each of the fiscal years 1949-50 and 1950-51.

By Mr. Kaul et al:

H. 1131. Making an additional appropriation to the Department of Examiners of Public Accounts for each of the fiscal years 1949-50 and 1950-51.

Mr. Russell, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Coburn (with notice and proof):

H. 1115. To define, regulate and license barbers and barber colleges, and other like businesses in Colbert County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

By Mr. Shelton:

H. 1057. To make it unlawful for any person to disturb the peace of others by violent, offensive, boisterous, obscene, or indecent conduct or language; providing the penalty for violation of this Act; and to provide that this Act shall become effective upon its becoming a law; and to further provide that this Act shall apply only in counties having a population of not less than seventy-five thousand and not more than one hundred thirteen thousand, and in counties having a population of over four hundred thousand, according to the last or any succeeding Federal census.

By Messrs. Meeks, Gibson and Adams (Jefferson), (with notice and proof):

H. 1099. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Warrior, in Jefferson County, Alabama.

By Messrs. Molette, Givhan and Martin (Dallas):

H. 1111. Applying in cities having a population of more than 17,500 and not more than 22,500 and having a mayor-council form of city government: providing for holding a referendum to determine whether members of the city council shall be elected from wards or from the city at large.

By Mr. Evans (with notice and proof):

H. 1113. Relating to Choctaw County: To fix, levy and to require the payment to the county of a license tax, in addition to all other taxes or licenses now required by law, of two cents (\$0.02) on each package of cigarettes, containing not more than 20 cigarettes and \$0.02 for each additional 20 cigarettes or fractional part thereof in such package sold, stored, or received, for the purpose of distribution to any person, firm, corporation, club, or association within the county; to provide for the payment of said tax by the purchase and sale of stamps to be affixed to each package of cigarettes sold or distributed, in such county; to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this Act; to prescribe penalties and fix the punishment for the violation of any provisions of this Act; and to provide that the tax shall not be levied unless approved by a majority of the qualified electors of Choctaw County in an election held within ninety (90) days after the effective date of this Act.

By Messrs. Whitcomb and Crocker (with notice and proof):

H. 1116. To amend Section 1 of Act No. 137, H. B. 520, approved June 16, 1945, entitled "An Act To allow the President of the County Board of Education of Marengo County pay for not more than fifteen days in any one year and to allow the other members of the Marengo Board of Education pay for not more than twelve days in any one year, payable from the General School Funds of Marengo County, Alabama" (Local Acts of Alabama, 1945, page 79).

By Mr. Dumas et al (with notice and proof):

H. 1117. For the relief of Lura Blanche Ellard by authorizing, the Commission of the City of Birmingham, Alabama, to issue and the comptroller of said city to pay to her a warrant for Five Hundred Dollars (\$500.00) in payment for injuries and damages suffered and sustained by her on March 11, 1948, as the proximate consequence and result of the negligent operation or maintenance of a city fire truck which crashed into the building in which she was working at 3814 Clairmont Avenue in the City of Birmingham, and thereby injured the said Lura Blanche Ellard.

By Mr. Dumas et al:

H. 1118. To amend Section 8 of an Act Entitled "To apply in, but only in, counties which have a population of 400,000 inhabitants or more, according to the last or any subsequent Federal Census; to fix, levy and to require the payment to such counties of a license tax, in addition to all other taxes or licenses now required by law, of two cents (\$0.02) on each package of cigarettes, containing not more than 20 cigarettes and (\$0.02) for each additional 20 cigarettes or fractional part thereof in such package sold, stored, or received, for the purpose of distribution to any person, firm corporation, club, or association within such coun-

ties, and to fix and levy a tax on smoking tobacco upon each package containing not more than $1\frac{1}{8}$ ounces .005 ($\frac{1}{2}$ cent) each package over $1\frac{1}{8}$ ounce and not exceeding 2 ounces \$0.015 ($1\frac{1}{2}$ cents) over 2 ounces and not exceeding 3 ounces \$0.025 ($2\frac{1}{2}$ cents) over 3 ounces and not exceeding 4 ounces \$.035 ($3\frac{1}{2}$ cents) and \$.01 (1 cent) additional for each ounce or fractional part thereof over 4 ounces; to provide for the payment of said tax by the purchase and sale of stamps to be affixed to each said package of cigarettes or smoking tobacco sold or distributed, in such counties; to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; to prescribe penalties and fix the punishment for the violation of any provisions of this act; and to repeal any existing ordinances or statutes in conflict with the provisions of this act; to prohibit future license or excise taxes by municipalities; and to provide the effective date of this act".

By Messrs. Thompson (Pike) and Shirley (with notice and proof):

H. 1122. To alter and re-arrange the boundary lines of the City of Troy, Alabama, so as to include within the corporate limits of said City the territory described in Section 1 of this Act.

By Mr. Dumas:

H. 1123. To apply in all counties having a population of 400,000 or more according to the last or any succeeding Federal census and to provide for and fix the minimum age at which children shall be entitled to attend the public schools therein.

By Messrs. Cole and Brassell (with notice and proof):

H. 1124. Relating to Russell County: To provide compensation for the Coroner of Russell County.

By Messrs. Sullivan and Stone (with notice and proof):

H. 905. To make it the duty of the Register of the Circuit Court of Mobile County, Alabama, in addition to his other duties, to keep a docket in which must be entered the number and the name of all cases appealed to the Supreme Court of Alabama, the date of the Appeal and date transcript for Supreme Court delivered to Appellant's Attorney; to make a list with the name and number of each case in which a motion is made for an interlocutory Order, for use on the day the Motions are set for hearing; to make monthly settings of all cases that are at issue and make lists thereof containing the number and name of the case and the date for which set and furnish copies of list to the Attorneys, and to provide extra compensation for such new and additional duties.

By Messrs. Sullivan and Stone (with notice and proof):

H. 902. To require additional duties of the Clerk of the Circuit Court of Mobile County, Alabama, by requiring said Clerk to keep a separate docket in his office available to public inspection at any and all times the said Clerk's office is open for business, in

which said Clerk shall enter the number and style of each case appealed to the Supreme Court or Court of Appeals, the date of Judgment, the date of the appeal, the date the transcript on appeal is delivered to the Appellant's Attorney, and the date and ruling of the Supreme Court or Court of Appeals in each such appeal; to make a list with the number and style of each case in which a motion or demurrer is filed, for use on the day the said motions and demurrers are set for hearing; and, to make monthly settings or lists of all cases which are at issue and which are set for trial, containing the number and style of the case, the name of the attorneys, and the date for which set, and to furnish copy of such monthly settings or lists to the attorneys, and further to provide for additional compensation for such additional duties of said Clerk.

By Messrs. Stone, Sullivan and Johnston:

H. 976. To amend Section 176 of Title 41 of the 1940 Code of Alabama. (Relating to filling of vacancies in State and County offices).

By Mr. Buckner:

H. 1015. Relating to counties with populations of not less than 46,250 nor more than 48,100 inhabitants: providing an additional clerk for the tax collector of such a county.

Mr. Lamberth, Chairman of the Standing Committee on Public Welfare and Correctional Institutions reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. O'Neal:

H. 469. Relating to prisons: Authorizing and directing the Department of Corrections and Institutions to purchase and install electric metal detectors or other devices for detecting contraband items concealed by persons entering the penitentiaries of this State.

Mr. Hardwick, Chairman of the Standing Committee on Public Roads and Highways reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Adams (Jefferson) and Thompson (Crenshaw):

H. 868. To facilitate vehicular traffic between the northern and southern sections of the state by providing for the construction, operation and maintenance of a turnpike from a point on the Tennessee line to a point on the Florida line; providing for the creation of the Alabama Turnpike Commission, and conferring powers and imposing duties on the commission; authorizing the issuance of turnpike revenue bonds of the state, payable solely

from tolls and taxes on sales of gasoline by stations on the turnpike, to pay the cost of such turnpike; providing that no debt of the state shall be incurred in the exercise of any of the powers granted by this Act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such turnpike shall become free; providing for condemnation; granting certain powers and authority to political subdivisions and agencies of the state to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

Mr. Glover, Chairman of the Standing Committee on Fish and Game reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wood (Washington):

H. 700. To further prescribe safety measures for boats which are rented for hire, or furnished with or without charge to the public for recreational purposes or for hunting or fishing in the public or private waters of Alabama. To provide a penalty for the violation of this Act and to provide for the disposition of the fines. To repeal all laws in conflict herewith. To provide when this Act shall become effective and for other purposes.

By Messrs. Adams (Jefferson) and Adams (Dale):

H. 698. To prescribe safety measures for boats operated or propelled by outboard or inboard motors. To provide for penalty for the violation of this Act and to provide for the disposition of the fines. To repeal all laws in conflict herewith. To provide when this Act shall become effective and for other purposes.

By Mr. Adams (Jefferson):

H. 707. To amend Sections 29 and 42 of Title 8 of the Code of Alabama of 1940.

Mr. Cater, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adams (Jefferson):

H. 753. To propose an amendment to Section 205 of the Constitution of Alabama, which relates to homestead exemptions; ordering an election upon the proposed amendment to be held on the first Tuesday following the expiration of three months after the final adjournment of the present session of the Legislature.

The above Bill was read a second time at length as required by the Constitution.

RESOLUTION

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 84. RESOLVED, that the following shall be special, paramount and continuing special order for the thirty-fifth and thirty-sixth legislative days beginning after disposition of House Bill 294 which is unfinished business and House Bill 719 if re-instated on the calendar:

1. Local bills with notice and proof and general bills of local application unless involving funds from the State Treasury.

2.	Page
H. 190	41
H. 808	24
H. 441	35
H. 347	48
H. 871	39
H. 189	4
H. 741	5
H. 130	19
H. 165	29
H. 290	47
H. 827	78
H. 385	3
H. 82	25
H. 395	78
H. 913	48
H. 873	27
H. 1021	65
H. 61	20
H. 726	30
H. 66	15
H. 978	64
H. 315	46
H. 44	40
H. 1058	56
H. 191	41
H. 134	56
H. 306	26
H. 307	26
H. 216	80
H. 278	21
H. 179	13
H. 180	13
H. 181	13

H. 182	4
H. 94	4
H. 355	27
H. 647	24
H. 812	49
H. 1007	78
H. 1005	57
H. 282	23
H. 220	79
H. 221	79
H. 413	35
H. 865	25
H. 592	76
H. 785	42
H. 237	31
H. 125	30
H. 268	50
H. 81	17
H. 959	44
H. 810	41
H. 499	23
H. 972	46
H. 248	14
H. 295	33
H. 907	49
H. 495	77
H. 826	79
H. 428	56
H. 705	47
H. 99	11
H. 952	64
H. 67	27
H. 828	
H. 17	3
H. 745	2
H. 417	2
H. 423	2
H. 87	3
H. 711	5
H. 696	5
H. 658	6
H. 659	7
H. 253	8

and all other bills in the order in which they appear on the calendar.

Mr. Hooton offered the following amendment to the resolution, to-wit:

Amend Senate Resolution No. 84 by adding immediately after the words "Your Committee on Rules report as follows:" the words "This report to follow and be in order after the present Special Order which has been heretofore adopted by this Senate.

And on motion of Mr. Swift, said amendment was laid on the table.

Yeas 17; Nays 12.

Yeas:

Messrs.:	Clayton	Henderson	Quarles	
Allen	Coleman	Hughes	Summerlin	
Boutwell	Glover	Lowe	Swift	
Burnside	Golson	Patton	Wright	
Cater	Gulledge			—17

Nays:

Messrs.:	Harvey	Kimbrell	Mize	
Fite	Hooton	Lamberth	Patterson	
Gaither	Howle	Langan	Perry	
Hardwick				—12

Mr. Patterson offered the following amendment to the resolution, to-wit:

Amend Rules Committee Resolution No. 84 by striking H. B. No. 130 as it now appears or is listed therein and reinsert it therein as the 1st (first) bill in said resolution, that is at the top of the list of bills.

Mr. Kimbrell moved that said amendment be laid on the table and the motion to table was lost.

Yeas 15; Nays 16.

Yeas:

Messrs.:	Fite	Hardwick	Kimbrell	
Allen	Gaither	Henderson	Lowe	
Clayton	Glover	Hooton	Patton	
Coleman	Golson	Hughes	Perry	
				—15

Nays:

Messrs.:	Harvey	Mize	Russell	
Boutwell	Howle	Owens	Summerlin	
Burnside	Lamberth	Patterson	Swift	
Cater	Langan	Quarles	Wright	
Gulledge				—16

Mr. Perry offered the following amendment to the amendment offered by Mr. Patterson, to-wit:

Amend Patterson amendment No. 1 to amend Resolution No. 84 by striking the following:

H. 130 on page 19.

And on motion of Mr. Patterson, the amendment offered by Mr. Perry was laid on the table.

Yeas 21; Nays 9.

Yeas:

Messrs.:	Gulledge	Langan	Quarles	
Allen	Harvey	Lowe	Russell	
Boutwell	Henderson	Mize	Summerlin	
Burnside	Howle	Owens	Swift	
Cater	Hughes	Patterson	Wright	
Coleman	Lamberth			—21

Nays:

Messrs.:	Gaither	Hardwick	Kimbrell	
Clayton	Glover	Hooton	Perry	
Fite	Golson			—9

The question then recurred on the amendment offered by Mr. Patterson to the resolution and said amendment was lost.

Yeas 14; Nays 16.

Yeas:

Messrs.:	Harvey	Mize	Summerlin	
Burnside	Howle	Patterson	Swift	
Cater	Lamberth	Quarles	Wright	
Gulledge	Lowe	Russell		—14

Nays:

Messrs.:	Fite	Henderson	Langan	
Allen	Glover	Hooton	Owens	
Boutwell	Golson	Hughes	Patton	
Clayton	Hardwick	Kimbrell	Perry	
Coleman				—16

Mr. Patterson also offered the following amendment to the resolution, to-wit:

Amend Rules Committee Resolution No. 84 by deleting House Bill No. 253 therefrom as it now appears therein and place it in said resolution next above H. B. No. 165.

And on motion of Mr. Kimbrell, said amendment was laid on the table.

Yeas 21; Nays 7.

Yeas:

Messrs.:	Glover	Hughes	Patton	
Allen	Golson	Kimbrell	Perry	
Burnside	Gulledge	Langan	Quarles	
Cater	Harvey	Lowe	Swift	
Clayton	Henderson	Mize	Wright	
Coleman	Hooton			—21

Nays:

Messrs.:	Hardwick	Lamberth	Patterson
Fite	Howle	Owens	Russell

—7

Mr. Russell offered the following amendment to the resolution, to-wit:

Amend Senate Resolution No. 84 by placing H. B. No. 625 and H. B. 886 on said Special Order immediately following H. B. No. 189 where the same appears on said Special Order.

Mr. Allen moved to lay on the table the amendment offered by Mr. Russell, and the motion to table was lost.

Yeas 12; Nays 16.

Yeas:

Messrs.:	Coleman	Gulledge	Lowe
Allen	Glover	Henderson	Quarles
Boutwell	Golson	Hughes	Swift
Clayton			

—12

Nays:

Messrs.:	Howle	Mize	Perry
Fite	Kimbrell	Owens	Russell
Gaither	Lamberth	Patterson	Summerlin
Hardwick	Langan	Patton	Wright
Hooton			

—16

Mr. Allen called for a division of the question on the above amendment.

Thereupon Mr. Russell moved to place House Bill 625 immediately following House Bill 189 on S. R. 84, which was adopted.

Yeas 14; Nays 12.

Yeas:

Messrs.:	Harvey	Langan	Perry
Fite	Hooton	Mize	Russell
Gaither	Kimbrell	Patterson	Summerlin
Hardwick	Lamberth	Patton	

—14

Nays:

Messrs.:	Coleman	Henderson	Owens
Allen	Glover	Hughes	Quarles
Boutwell	Golson	Lowe	Swift
Clayton			

—12

Then Mr. Russell moved to place House Bill 886 immediately following H. B. 625 on S. R. 84.

Which was adopted.

Yeas 24; Nays 3.

Yeas:

Messrs.:	Gaither	Kimbrell	Patterson
Allen	Hardwick	Lamberth	Patton
Boutwell	Harvey	Langan	Perry
Cater	Henderson	Lowe	Quarles
Clayton	Hooton	Mize	Russell
Coleman	Howle	Owens	Summerlin
Fite			

—24

Nays: Messrs. Golson, Hughes and Swift.

—3

Mr. Allen moved that the Senate reconsider the vote by which amendment No. 1 offered by Mr. Patterson was lost to S. R. 84, and Mr. Kimbrell moved to lay on the table the motion to reconsider, the motion to table was lost.

Yeas 13; Nays 16.

Yeas:

Messrs.:	Coleman	Hooton	Lamberth
Bridges	Fite	Howle	Patton
Cater	Glover	Kimbrell	Perry
Clayton	Hardwick		

—13

Nays:

Messrs.:	Harvey	Lowe	Quarles
Allen	Henderson	Mize	Russell
Boutwell	Hughes	Owens	Summerlin
Burnside	Langan	Patterson	Swift
Golson			

—16

The question then recurred on the motion of Mr. Allen to reconsider the vote on said amendment, and said vote was reconsidered.

And the amendment No. 1 offered by Mr. Patterson to the resolution, as amended, was then adopted.

Yeas 19; Nays 9.

Yeas:

Messrs.:	Golson	Langan	Patton
Allen	Harvey	Lowe	Quarles
Boutwell	Howle	Mize	Russell
Burnside	Hughes	Owens	Summerlin
Cater	Lamberth	Patterson	Swift

—19

Nays:

Messrs.:	Coleman	Henderson	Kimbrell
Bridges	Fite	Hooton	Perry
Clayton	Hardwick		

—9

Mr. Quarles then offered the following amendment to the resolution, as amended, to-wit:

To amend Senate Resolution No. 84 as amended by adding thereto at the end thereof House Bill No. 636 on page 51 of the Calendar.

Which was adopted.

Mr. Harvey offered the following amendment to the resolution, as amended, to-wit:

Amend S. R. 84 as amended by striking the figures H. B. 82 on page 25 from 13th place and placing said H. B. 82 at the bottom of the list of the Special Order.

Which was adopted.

Yeas 20; Nays 7.

Yeas:

Messrs.:	Fite	Howle	Mize
Boutwell	Gaither	Kimbrell	Owens
Bridges	Golson	Lamberth	Patterson
Burnside	Hardwick	Langan	Perry
Clayton	Harvey	Lowe	Summerlin
Coleman			

—20

Nays:

Messrs.:	Cater	Henderson	Quarles
Allen	Glover	Hooton	Swift

—7

Mr. Gaither offered the following amendment to the resolution, as amended, to-wit:

Amend Senate Resolution No. 84 by moving the position of H. B. 17 on page 3 to the 5th place on paragraph 2.

And on motion of Mr. Swift, said amendment was laid on the table.

Yeas 16; Nays 11.

Yeas:

Messrs.:	Glover	Hughes	Patton
Allen	Golson	Lowe	Russell
Cater	Hardwick	Mize	Summerlin
Clayton	Henderson	Owens	Swift
Coleman			

—16

Nays:

Messrs.:	Fite	Hooton	Lamberth
Bridges	Gaither	Howle	Patterson
Burnside	Harvey	Kimbrell	Perry

—11

Mr. Hooton offered the following amendment to the resolution, as amended, to-wit:

Amend Senate Resolution No. 84 as amended by placing H. B. 75 immediately after H. B. 395 on said resolution.

Which was adopted.

Yeas 17; Nays 7.

Yeas:

Messrs.:	Coleman	Hooton	Mize	
Allen	Fite	Howle	Owens	
Bridges	Hardwick	Kimbrell	Patterson	
Cater	Harvey	Lamberth	Patton	
Clayton	Henderson			—17

Nays:

Messrs.:	Golson	Hughes	Summerlin	
Glover	Gulledge	Lowe	Swift	—7

Mr. Mize offered the following amendment to the resolution, as amended, to-wit:

Amend Senate Resolution No. 84 as amended by adding H. B. 756 immediately preceding H. B. 395.

Which was lost.

Yeas 11; Nays 13.

Yeas:

Messrs.:	Cater	Harvey	Langan	
Boutwell	Fite	Kimbrell	Mize	
Bridges	Hardwick	Lamberth	Patterson	—11

Nays:

Messrs.:	Golson	Hughes	Patton	
Allen	Gulledge	Lowe	Summerlin	
Clayton	Henderson	Owens	Swift	—13
Coleman	Hooton			

Mr. Hardwick offered the following amendment to the resolution, as amended, to-wit:

Amend S. R. 84 as amended by adding before House Bill 190 on page 41 the following:

H. 658 on page 6.

H. 659 on page 7.

Which was adopted.

Mr. Hardwick offered the following amendment to the resolution, as amended, to-wit:

Amend Senate Resolution 84 as amended by adding House Bill 860 on page 65 between House bills 1021 on page 65 and House Bill 61 page 20 where the same appears on the Special Order.

Which was adopted.

Mr. Mize offered the following amendment to the Resolution, as amended, to-wit:

Amend Senate Resolution 84, as amended, by adding to paragraph 2 thereof H. B. 308 immediately prior to H. B. 913.

And on motion of Mr. Swift, said amendment was laid on the table.

Yeas 17; Nays 10.

Yeas:

Messrs.:	Clayton	Henderson	Patton	
Allen	Coleman	Hughes	Russell	
Boutwell	Golson	Lowe	Summerlin	
Burnside	Gulledge	Owens	Swift	
Cater	Hardwick			—17

Nays:

Messrs.:	Harvey	Lamberth	Patterson	
Bridges	Hooton	Langan	Perry	
Gaither	Howle	Mize		—10

Mr. Langan offered the following amendment to the resolution, as amended, to-wit:

Amend S. R. No. 84 as amended by placing thereon H. B. 885 immediately following H. B. 886.

Which was adopted.

Mr. Coleman offered the following amendment to the resolution, as amended, to-wit:

Amend S. R. 84 as amended as follows: Place House Bill 711 on page 5 in 25th place from top on list of bills.

Which was adopted.

Mr. Cater offered the following amendment to the resolution, as amended, to-wit:

Amend Senate Resolution 84 as amended, by inserting H. B. 962 on page 45 immediately following H. B. 385 where the same appears on said Special Order.

Which was adopted.

And said resolution, as thus amended, was then adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following

enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 465. To amend Section 111 of Title 17 of the 1940 Code of Alabama, as amended, which relates to the time of opening and closing polls where voting machines are used.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MOTION IN WRITING

Mr. Swift offered the following motion in writing, to-wit:

Mr. President and Members of the Senate:

In accordance with notice heretofore given, I move that Rule 1 be amended as follows:

Rule 1. The President having taken the Chair, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistakes may be corrected that shall be made in the entry; provided, however, on the thirty-sixth Legislative Day of the 1949 Session, the reading of the Journal may be dispensed with by a majority vote of the Senate, which vote shall be taken forthwith and without debate immediately on a motion therefor.

Which was read and referred to the Standing Committee on Rules.

RESOLUTIONS

Mr. Patton offered the following Senate Resolution, to-wit:

S. R. 85. Resolved, That the cordial thanks of this body are presented to the Honorable J. C. Inzer, its honored and distinguished President, for the able, impartial, courteous, and dignified manner in which he has presided over its deliberations and performed the arduous and important duties of the Chair during the present session of the Legislature now about to end.

And the rules were suspended and the resolution adopted by the Senate.

Mr. Patterson offered the following Senate Joint Resolution, to-wit:

S. J. R. 86. WHEREAS, the members of the staff of the Legislative Reference Service have rendered prompt, courteous, efficient and invaluable services to the members of the Legislature during the legislative session, and

WHEREAS, the members of the Legislature greatly appreciate this efficient and outstanding service, now therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. The members of the Legislature hereby extend their sincere thanks for the splendid services rendered to them during the legislative session to the Director of the Legislative Reference Service, Mr. Charles M. Cooper, and the members of the Service's staff, Messrs. Knight, Hill and Noble, Mesdames Stuart and Martin, and Misses Boyd, Patton and Stokes.

2. The Secretary of the Senate is directed to transmit a copy of this Resolution to the Director of the Legislative Reference Service.

And the rules were suspended and the resolution adopted by the Senate.

Mr. Patterson offered the following Senate Joint Resolution, to-wit:

S. J. R. 87. WHEREAS, Honorable J. E. Speight, Secretary of the Senate, Honorable R. T. Goodwyn, Jr., Clerk of the House, Honorable Ralph Macon, Reading Clerk of the Senate, Honorable Vaughan Hill Robinson, Reading Clerk of the House and all the other officials and employees of the Senate and House have performed their duties during this session of Legislature ably and well and have rendered invaluable services to the Legislature, and

WHEREAS, the members of the Legislature greatly appreciate and are greatly indebted to these officials and employees of the two houses for their very efficient services, tireless effort to cooperate, and their careful and courteous attention to duty regardless of the hour and task at hand, now therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. That the members of the Legislature hereby extend their sincere thanks and appreciation to Honorable J. E. Speight, Honorable R. T. Goodwyn, Jr., Honorable Ralph Macon, Honorable Vaughan Hill Robinson, and all other officials and employees of the Senate and House for the splendid services they have ren-

dered and the many kindnesses shown during the current legislative session.

2. That a copy of this resolution be spread upon the Journals of the two Houses and a copy released to the press.

And the rules were suspended and the resolution adopted by the Senate.

Messrs. Patterson and Owens offered the following Senate Joint Resolution, to-wit:

S. J. R. 88. WHEREAS Mrs. Johnnie McCall and the company she represents have afforded courteous and efficient telephone service to the members of the Legislature during the present session and have made an important contribution to expediting the business of the Legislature and to the convenience of the members of the Legislature, now therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That the cordial thanks of the two Houses are presented to Mrs. Johnnie McCall and to the company she represents for the able, courteous, and helpful manner in which telephone service has been rendered the officers and members of the Legislature during the present session of the Legislature now about to end.

And the rules were suspended and the resolution adopted by the Senate.

Mr. Boutwell offered the following Senate Resolution, to-wit:

S. R. 89. BE IT RESOLVED by the Senate of Alabama that on September 6th and Sept. 7th and Sept. 8th the Senate resolve itself into a committee of the Whole Senate for the purpose of taking up and considering any Bills that may be pending before the Senate on the last legislative day. The committee of the Whole to convene at 10 o'clock A. M. on said days. The officers and employees of the Senate shall serve as such during the time the Senate is so meeting.

Which was read and referred to the Standing Committee on Rules.

Mr. Lowe offered the following Senate Resolution, to-wit:

S. R. 90. Be It Resolved by the Senate, that the Senate ask the Supreme Court for an advisory opinion under the following facts.

A bill was duly passed by both Houses of the Legislature, duly enrolled and signed by the presiding officer of both Houses, and was presented to the Governor at to wit 4:30 P. M. When the bill was presented to the Governor, he refused to accept the same on the grounds that his office was closed for business at that hour.

I. Under the provision of Section 125 of the Constitution of 1901, may the Governor refuse to accept a bill when it is presented to him, thereby giving him additional time in which to either sign or not sign such bill?

Which was read and referred to the Standing Committee on Rules.

Mr. Allen offered the following Senate Joint Resolution, to-wit:

S. J. R. 91. Be it Resolved by the Senate, the House concurring, that Senate Bill No. 326 be known as the Boutwell-Glover-Roberts and Meeks Bill.

And the rules were suspended and the resolution adopted by the Senate.

Mr. Boutwell offered the following Senate Joint Resolution, to-wit:

S. J. R. 92. 1. WHEREAS the great State of Alabama has produced many illustrious sons and daughters for this Nation; and

2. WHEREAS many former citizens of Alabama now reside in other States and have not returned to Alabama in recent years; and

3. WHEREAS the State of Alabama desires to honor her distinguished former citizens and entertain and welcome home those who have settled in distant places.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

That we do hereby proclaim the week beginning January 23rd, 1950 as ALABAMA HOME COMING WEEK, and invite and urge all former Alabamians to return to Alabama during that week so that (1) we may do honor to those former citizens of Alabama who have gone to other States and distinguished themselves in their work, (2) so that old acquaintances may be renewed and new friends made, and (3) so that the citizens of Alabama, by appropriate action may celebrate and welcome home these former friends and neighbors.

And the rules were suspended and the resolution adopted by the Senate.

Mr. Boutwell offered the following Senate Resolution, to-wit:

S. R. No. 93. BE IT RESOLVED BY THE SENATE OF ALABAMA that the Senate do now confirm the appointment of Walter J. Hanna as Brigadier General, Alabama National Guard, his appointment having been approved by the Senate of the United States and having been made by the Governor subject to the approval of the Senate of Alabama.

Which was read and referred to the Standing Committee on Rules.

**REPORT OF THE CONFERENCE COMMITTEE ON THE DIS-
AGREEMENT BETWEEN THE TWO HOUSES ON SENATE
BILL 326**

We, the undersigned members of the Conference Committee appointed by the Senate and House of Representatives to reconcile the differences existing between the two Houses on Senate Bill 326, do hereby recommend as follows:

1. That the House of Representatives recede from its amendment to Senate Bill 326.
2. That each of the two Houses adopt the substitute for Senate Bill 326 hereto attached.
3. That each of said Houses pass the substitute for Senate Bill 326 hereby recommended.

ALBERT BOUTWELL,
BEN N. GLOVER,
JOHN E. GAITHER,
Conferees on the part of the
Senate.

J. PAUL MEEKS,
E. S. ROBERTS,
J. J. BENFORD,
Conferees on the part of the
House.

**CONFERENCE COMMITTEE'S SUBSTITUTE FOR SENATE
BILL NO. 326**

**A BILL
TO BE ENTITLED
AN ACT**

To regulate the use of motor vehicles owned by the State of Alabama; and to require the identification of motor vehicles owned by the State, making it a misdemeanor for any person to operate a motor vehicle owned by the State which is not identified or marked as required by this act.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person knowingly to operate a motor vehicle owned by the State upon any public way unless the vehicle is equipped with a special license tag of a design reserved for the exclusive use of the State, its agencies and institutions and is marked with a distinctive symbol, sign or emblem showing clearly that such motor vehicle is the property of the State of Alabama. Any person who violates this act shall be guilty of a misdemeanor.

Section 2. The provisions of Section 1 shall not apply to the operation of a motor vehicle owned by the State if such operation is by a law enforcement officer of the State and he is engaged at the time of such operation in the enforcement of the criminal laws of the State, and cars used by the Public Service Commission in the enforcement of its laws.

Section 3. This Act shall become effective November 1, 1949.

CONFERENCE REPORT

On motion of Mr. Boutwell the Senate concurred in and adopted the foregoing Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 326. Relating to the identification of motor vehicles owned by the State; making it a misdemeanor for any person to operate a motor vehicle owned by the State which is not identified or marked as required by this Act.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Owens
Allen	Fite	Hughes	Patterson
Barrett	Gaither	Kimbrell	Patton
Boutwell	Glover	Lamberth	Perry
Bridges	Gulledge	Langan	Quarles
Burnside	Hardwick	Lowe	Summerlin
Cater	Hooton	Mize	Wright
Clayton			

—28

Nays:

—0

And said bill, as thus amended by the report of the Committee on Conference was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Glover	Langan	Perry
Allen	Gulledge	Lowe	Quarles
Barrett	Hardwick	Mize	Russell
Boutwell	Hooton	Owens	Summerlin
Cater	Howle	Patterson	Swift
Clayton	Hughes	Patton	Wright
Gaither	Lamberth		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 635. To alter, rearrange and extend the boundary lines and cor-

porate limits of the City of Montgomery, in Montgomery County, Alabama; and to prescribe the time when this Act shall become effective.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cater the Senate concurred in and adopted the following House amendment to the bill, S. B. 635, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SENATE BILL 635

Amend S. B. 635 by striking therefrom on lines 3, 4, and 5, page 2, the following words:

"to the Half section line running North and South through Section 26, Township 16, Range 17; thence North along said Half section line to the center of Section 26, Township 16, Range 17," and substituting the following in lieu thereof:

"to the Southwest Corner of the Northeast Quarter of the Southwest Quarter of Section 26, Township 16, Range 17; thence North along the West line of the Northeast Quarter of the Southwest Quarter of Section 26, Township 16, Range 17, to the Southwest Corner of the Southeast Quarter of the Northwest Quarter of Section 26, Township 16, Range 17; thence continuing North along the West line of the Southeast Quarter of the Northwest Quarter of Section 26, Township 16, Range 17, to the Northwest corner of said Southeast Quarter of the Northwest Quarter of Section 26, Township 16, Range 17; thence East along the North line of the Southeast Quarter of the Northwest Quarter to the Northeast Corner of the Southeast Quarter of the Northwest Quarter; thence South along the East line of the Southeast Quarter of the Northwest Quarter of Section 26, Township 16, Range 17, to the Center of Section 26, Township 16, Range 17;"

And further Amend S. B. 635

By striking the word "thence" at the end of line 4 on page 3 through the word "Range 18" on line 10 and adding the following in lieu thereof: "thence Easterly along the curvature of and along the North right-of-way line of the Troy-Montgomery Highway to the Southeast corner of the Southwest Quarter of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 28, T 16, R 18; thence North to the Northeast corner of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 28, T 16, R 18;

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Henderson	Patton	
Allen	Clayton	Howle	Perry	
Barrett	Coleman	Hughes	Summerlin	
Boutwell	Fite	Kimbrell	Swift	
Bridges	Gaither	Patterson	Wright	
Burnside	Glover			—21

Nays: —0

And said bill, as thus amended, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hardwick	Hughes	
Allen	Fite	Harvey	Patterson	
Bridges	Gaither	Henderson	Quarles	
Burnside	Glover	Hooton	Russell	
Cater	Golson	Howle	Summerlin	
Clayton	Gulledge			—21

Nays: —0

MOTION IN WRITING

Mr. Hardwick offered the following motion in writing:

I move that the Rules Committee be required to make a report to the Senate within one hour on the appointment of Glen D. Vinson for the office of Board of Pardons and Paroles, which appointment has been sent to the Senate for confirmation by the Governor.

Mr. Henderson moved to lay said motion on the table, the motion to table was lost.

Yeas 14; Nays 17.

Yeas:

Messrs.:	Coleman	Henderson	Quarles	
Boutwell	Glover	Hughes	Russell	
Cater	Golson	Lowe	Swift	
Clayton	Gulledge	Patton		—14

Nays:

Messrs.:	Gaither	Kimbrell	Owens	
Allen	Hardwick	Lamberth	Patterson	
Barrett	Harvey	Langan	Perry	
Bridges	Hooton	Mize	Wright	
Fite	Howle			—17

Mr. Allen offered the following amendment to the motion, to-wit:

Amendment to motion by Sen. Hardwick:

Amend motion by adding after the words "within one hour" the words "after the final disposition by the Senate of the 67 Senator Bill and the voter qualification Bill".

Mr. Hardwick moved to lay said amendment on the table, which resulted in a tie vote.

Yeas 16; Nays 16.

Yeas:

Messrs.:	Hardwick	Lamberth	Patterson
Barrett	Harvey	Langan	Perry
Bridges	Howle	Mize	Summerlin
Fite	Kimbrell	Owens	Wright
Gaither			

—16

Nays:

Messrs.:	Coleman	Henderson	Patton
Allen	Glover	Hooton	Quarles
Boutwell	Golson	Hughes	Russell
Cater	Gulledge	Lowe	Swift
Clayton			

—16

The President and Presiding Officer of the Senate voted "nay", therefore the motion to table was lost.

The question then recurred on the amendment offered by Mr. Allen, which resulted in a tie vote.

Yeas 16; Nays 16.

Yeas:

Messrs.:	Coleman	Henderson	Patton
Allen	Glover	Hooton	Quarles
Boutwell	Golson	Hughes	Russell
Cater	Gulledge	Lowe	Swift
Clayton			

—16

Nays:

Messrs.:	Hardwick	Lamberth	Patterson
Barrett	Harvey	Langan	Perry
Bridges	Howle	Mize	Summerlin
Fite	Kimbrell	Owens	Wright
Gaither			

—16

The President and Presiding Officer of the Senate voted "aye", therefore the amendment offered by Mr. Allen was then adopted.

And said motion, as thus amended, was then lost.

Yeas 16; Nays 17.

Yeas:

Messrs.:	Coleman	Henderson	Perry
Allen	Glover	Hughes	Quarles
Boutwell	Golson	Lowe	Russell
Cater	Gulledge	Patton	Swift
Clayton			

—16

Nays:

Messrs.:	Gaither	Kimbrell	Owens
Barrett	Hardwick	Lamberth	Patterson
Bridges	Harvey	Langan	Summerlin
Burnside	Hooton	Mize	Wright
Fite	Howle		

—17

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

By Mr. Hardwick:

S. 253. To amend Section 94 of Title 36 of the 1940 Code of Alabama, which relates to motor vehicles.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hardwick the Senate concurred in and adopted the following House amendment to the bill, S. B. 253, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SENATE BILL NO. 253

Amend Section 1 of Senate Bill 253 to read as follows:

Section 1. That Section 94 of Title 36 of the 1940 Code of Alabama is hereby amended to read as follows:

“Section 94. Exemptions as to length. There shall be exempt from the provisions of this article as to length loads of poles, logs, lumber, structural steel, piping and timber, and vehicles transporting same.”

Yeas 21; Nays 2.

Yeas:

Messrs.:	Fite	Howle	Owens
Allen	Gulledge	Kimbrell	Patterson
Barrett	Hardwick	Lamberth	Summerlin
Bridges	Harvey	Lowe	Swift
Burnside	Henderson	Mize	Wright
Cater	Hooton		

—21

Nays: Messrs. Gaither and Quarles

—2

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 1063, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith hand you a message from the Governor, returning House Bill No. 1063, with a suggested executive amendment.

Respectfully submitted,

O. H. Finney, Jr.
O. H. FINNEY, JR.,
Executive Secretary.

September 2, 1949.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, House Bill No. 1063, with a suggested executive amendment, as follows:

Amend said bill by adding at the end of Section 1, the following:

"Provided that nothing herein shall be construed as limiting in any way the authority granted by law to the State Department of Revenue to value and assess property and to set aside assessments and revalue property."

The suggested amendment is made with the full knowledge and approval of the author of said bill, and if adopted will remove my objection to the bill.

Respectfully,

James E. Folsom,
JAMES E. FOLSOM,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 1063, by a vote of Yeas 64, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 1063. To amend Section 81 of Title 51 of the Code of Alabama (1940), which relates to the valuation of real property assessed for taxes in counties having a population of 200,000 or more.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 59, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Boutwell the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. B. 1063, the title of which is set out in the foregoing Message from the House.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Patterson	
Allen	Fite	Howle	Patton	
Boutwell	Gaither	Kimbrell	Perry	
Bridges	Gulledge	Lamberth	Summerlin	
Burnside	Hardwick	Mize	Wright	
Cater	Harvey	Owens		—22

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Coleman	Harvey	Lamberth	
Allen	Fite	Hooton	Mize	
Boutwell	Gaither	Howle	Owens	
Bridges	Gulledge	Hughes	Patterson	
Cater	Hardwick	Kimbrell	Perry	

—19

Nays:

—0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 634. To amend Section 561 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

Also:

S. 642. To abolish the Commissioners Court of Blount County, Alabama, and to establish in lieu thereof the Board of Revenue of Blount County, Alabama; to provide that said Board of Revenue shall consist of a chairman and four other members; to designate and name the first members of said Board and to provide for election of their successors; to fix the terms of office of the members of said Board; to prescribe the qualifications of the members of said Board; to divide the county into four districts; to prescribe and fix the terms and sessions of said Board and quorum thereof; to prescribe, fix and limit the powers, jurisdiction, duties and authority of said Board; to provide that all general laws which may hereafter be enacted affecting county governing bodies shall apply to said Board; to provide for and fix the compensation of the members of said Board; to provide for the filling of any vacancies that may occur on said Board.

Also:

S. 637. To amend Sections 4 and 8 of an Act entitled "To establish an inferior court in Blount County, Alabama, with concurrent jurisdiction

of Justice of the Peace Courts in said County and to define the jurisdiction and powers of said Court and the Judge thereof; to provide for the execution of processes of said Court and the operation thereof, to provide for the effect of recorded judgments of said Court, to provide for the appointment, election and term of office, qualifications and compensations of the judge thereof, and to provide the place and times of the holding of such Court," approved July 17, 1931.

Also:

S. 638. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama.

Also:

S. 629. To provide for the combination of the Offices of License Inspector or Department of Revenue or any like office or department and the Office of Commissioner of Licenses or any like office or department in any county having a population of 400,000 or more according to the last or any succeeding Federal Census whenever the Offices of License Inspector or Director of Revenue or Commissioner of Licenses in any such county shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law and to provide for the salary of such Director and to provide for the employees of such Department of Revenue.

Also:

S. 639. To amend Act Number 162, H. B. 152 approved August 21, 1923 (Local Acts of Alabama, 1923 PP. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary, and to provide for the election of the County Treasurer of Chilton County, Alabama by the qualified voters of said County."

Also:

S. 633. To authorize and empower the Tax Assessor of Fayette County, Alabama to appoint a Clerk; to authorize and empower the Tax Collector of Fayette County, Alabama, to appoint a clerk; to fix the salary of both said Clerks, and to provide for the method of payment of salary of each of said Clerks.

Also:

S. 640. For the relief of C. O. Lawrence, M. D., and to authorize, empower and direct the Court of County Commissioners of Chilton County, Alabama, and the Treasurer of Chilton County, Alabama, to pay to the said C. O. Lawrence, M. D., the sum of \$57.00 out of the general fund of the Treasury of said County, not otherwise appropriated, in order to reimburse the said C. O. Lawrence, M. D., for medical services and other services rendered by him on account of the injuries to the said Bertha Martin, caused by the caterpillar patrol owned and operated by Chilton County, Alabama.

Also:

S. 636. To amend Section 565 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

Also:

S. 627. To provide for and to authorize in counties having a population of 400,000 or more according to the last or any subsequent federal

census the business of clearing roots and other foreign obstructions from sewer lines in cities and municipalities by means of power cutting machines, provided entrance is made at established clean out caps or plugs only, and without otherwise affecting the established sewer lines or fixtures.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. McIlwain:

H. J. R. No. 166. Be it resolved that House Bill No. 635, which has passed the House and Senate be named as the Taylor of Autauga, McIlwain and Wright bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hardwick, the rules were suspended and the resolution, H. J. R. 166, set out in the foregoing Message from the House, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

By Mr. Allen:

S. J. R. 91. Relative to naming Senate Bill No. 326.

Also:

By Messrs. Patterson and Owens:

S. J. R. 88. Relative to extending thanks to Mrs. Johnnie McCall and the Telephone Company for the able, courteous and helpful manner in which the telephone service has been rendered.

Also:

By Mr. Patterson:

S. J. R. 87. Relative to extending thanks to Honorable J. E. Speight, Honorable R. T. Goodwyn, Jr., Honorable Ralph Macon, Honorable Vaughan Hill Robinson and all other officials and employees of the Senate and House for the splendid services they have rendered and the many kindnesses shown during the current legislative session.

Also:

By Mr. Patterson:

S. J. R. 86. Relative to extending thanks to the Legislative Reference Service and staff for the splendid services rendered by them.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Callahan, Shelton, Ward, Brown, Head:

H. J. R. No. 165. Whereas Dr. John M. Gallalee, President of the University, Dr. Ralph B. Draughon, President of Alabama Polytechnic Institute, and Dr. John T. Caldwell, President of Alabama College, have separately and collectively taken the initiative and brought about an amazing improvement in the relations, aims, and actions of the State's institutions of higher learning, and have thereby promoted harmony and a spirit of cooperation which is highly beneficial to the State and its citizens; therefore,

BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the felicitations of the two Houses are cordially extended to Dr. Gallalee, to Dr. Draughon, and to Dr. Caldwell for their achievement; and

RESOLVED FURTHER, That the Clerk of the House be directed to transmit to each of them an enrolled copy of this Resolution.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mize, the rules were suspended and the resolution, H. J. R. 165, set out in the foregoing Message from the House, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 1020, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I hand you herewith a message from the Governor, returning House Bill No. 1020, with a suggested executive amendment.

Respectfully submitted,

O. H. Finney, Jr.,
O. H. FINNEY, JR.,
Executive Secretary.

September 2, 1949.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, House Bill No. 1020, with a suggested executive amendment.

Amend Section 5 of said bill by adding immediately after the words and figures "thirty-five (35)" in line four, the words "per annum".

I have discussed this matter with the author of the bill and he is in complete agreement, and if the suggested amendment is adopted, it will remove my objection to said bill.

Respectfully,

James E. Folsom,
JAMES E. FOLSOM,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 1020, by a vote of Yeas 58, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 1020. To provide for and require the reidentification of each qualified elector in all counties in the State having a population of 400,000 or more according to the last or any subsequent Federal Census; and to require the Board of Registrars in any such county to take the necessary action to purge the lists of the qualified electors in any such county and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a wilfully false statement in connection with his reidentification shall be guilty of perjury. as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 64, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Boutwell the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. B. 1020, the title of which and said proposed amendment is set out in the foregoing Message from the House, to-wit:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize
Allen	Fite	Howle	Owens
Barrett	Gaither	Hughes	Patterson
Boutwell	Glover	Kimbrell	Patton
Bridges	Gulledge	Lamberth	Perry
Burnside	Hardwick	Lowe	Summerlin
Cater			

—24

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Clayton	Hooton	Lowe
Allen	Coleman	Howle	Mize
Boutwell	Fite	Hughes	Owens
Bridges	Gaither	Kimbrell	Patterson
Burnside	Gulledge	Lamberth	Perry
Cater	Hardwick	Langan	Summerlin
			—23

Nays: —0

Which was a majority of the whole number elected to the Senate.

RESOLUTIONS

Mr. Cater offered the following Senate Joint Resolution, to-wit:

S. J. R. 94. BE IT RESOLVED by the Senate, the House concurring that Senate Bill 634 be known as the Cater, Busby, Ingalls, Pinkston and Sightler Bill.

And the rules were suspended and the resolution adopted by the Senate.

Mr. Cater offered the following Senate Joint Resolution, to-wit:

S. J. R. 95. BE IT RESOLVED by the Senate, the House concurring that Senate Bill 635 be known as the Cater, Busby, Ingalls, Pinkston and Sightler Bill.

And the rules were suspended and the resolution adopted by the Senate.

Mr. Cater offered the following Senate Joint Resolution, to-wit:

S. J. R. 96. BE IT RESOLVED by the Senate, the House concurring that Senate Bill 636 be known as the Cater, Busby, Ingalls, Pinkston and Sightler Bill.

And the rules were suspended and the resolution adopted by the Senate.

Mr. Henderson offered the following Senate Joint Resolution, to-wit:

S. J. R. 97. WHEREAS, H. B. 52 was duly passed by both houses of the Legislature, was enrolled, and was duly signed by the presiding officer of each house in the presence of that house on the 34th legislative day, and was presented to the Governor on said date, and

WHEREAS, the Governor sent a message in regard to the same to the House on Sept. 2, 1949, the 35th Legislative day, pur-

portedly under the provisions of Section 126 of the Const. of Ala. 1901,

NOW, therefore, be it resolved by the Senate of Alabama that the Justices of the Supreme Court be requested to render to it an advisory opinion under the provisions of Title 13, Section 34, Code of Ala. 1940 on the following important constitutional question:

Was the Governor's action in regard to H. B. 52 constitutional?

Which was read and referred to the Standing Committee on Rules.

Mr. Kimbrell offered the following Senate Resolution, to-wit:

S. R. 98. Be it resolved by the Senate that H. B. 294, the Reconsideration of H. B. 719 and the H. B. 130 be postponed until the next Legislative Day without losing their places on the Special Order Calendar.

Which was read and referred to the Standing Committee on Rules.

REPORT FROM RULES COMMITTEE

Mr. Swift, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, with substitute, to-wit:

H. J. R. 156. Relative to adjournment of the two Houses until Tuesday, September 6, 1949, at 9:00 A. M.

The Rules Committee reported the following substitute for the resolution, to-wit:

SUBSTITUTE FOR H. J. R. 156

BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again on Wednesday, September 7, 1949 at 9 o'clock A. M. The Senate will meet as a Committee of the Whole, convening at 10:00 A. M. Tuesday, September 6, 1949 for the purpose of considering House Bills remaining on the Calendar.

Mr. Lamberth moved to lay on the table the substitute reported by the Rules Committee, and the motion to table was lost.

Yeas 11; Nays 20.

Yeas:

Messrs.:
Barrett
Burnside

Fite
Glover
Harvey

Howle
Kimbrell
Lamberth

Langan
Mize
Patterson

Nays:

Messrs.:	Coleman	Henderson	Perry
Allen	Gaither	Hooton	Quarles
Boutwell	Golson	Hughes	Russell
Bridges	Gulledge	Lowe	Swift
Cater	Hardwick	Owens	Wright
Clayton			

—20

And the substitute was then adopted.

And said resolution, as thus amended by the substitute, was then adopted by the Senate.

Yeas 22; Nays 8.

Yeas:

Messrs.:	Clayton	Hooton	Perry
Allen	Coleman	Hughes	Quarles
Boutwell	Gaither	Lowe	Russell
Bridges	Gulledge	Owens	Swift
Burnside	Hardwick	Patterson	Wright
Cater	Henderson	Patton	

—22

Nays:

Messrs.:	Harvey	Kimbrell	Langan
Barrett	Howle	Lamberth	Mize
Fite			

—8

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 129. To regulate further the operation of motor-driven cycles on highways; providing for the licensing of operators and prescribing penalties for violations of the Act.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hardwick the Senate nonconcurrent in the following House amendment to the bill, S. B. 129, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SENATE BILL 129

Amend Senate Bill 129 striking section 6 and inserting in lieu thereof the following:

Section 6. Every motor-driven cycle when operated upon the highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle. The Director of Public Safety is authorized to require an inspection of the brakes

of any motor-driven cycle and to disapprove any brakes which he finds is not adequate. All such brakes shall be maintained in good working order.

The director of public safety may refuse to register or he may suspend or revoke the registration of any motor-driven cycle when he determines that the brakes thereon do not comply with the provisions of this Section. No person shall operate on any highway any motor-driven cycle in the event the director of public safety has disapproved the brake equipment on such cycle or type of cycle. Every motor-driven cycle when operated upon the highway shall be equipped with at least one brake, which may be operated by hand or foot.

Any person violating this section shall be guilty of a misdemeanor.

And further amend

To amend S. B. 129 as amended by substituting the words "two hundred (200) pounds" for the words "three hundred (300) pounds" where same appears in Section 1 of said bill.

To further amend S. B. 129 as amended by substituting the words "fourteen years of age" for the words "twelve years of age" where same appears in Section 3 of said bill.

And further amend as amended: Senate Bill 129.

To amend S. B. 129 as amended by adding the following as Section 6A.

Section 6A. The Director of Public Safety shall be authorized to revoke the license of any operator of a motor driver cycle convicted of violating any of the provisions of this Act.

And further amend:

Amendment to Senate Bill No. 129.

Senate Bill No. 129 as amended is hereby amended by striking out the word and figure "fourteen" where the same appear in Section 3 thereof and inserting in lieu of said word and figure "Sixteen".

And requested a Committee on Conference.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Hardwick, Gaither and Quarles.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill and House Joint Resolutions, your signature thereto is requested.

H. 635. Relating to public health; To regulate, through licensure, hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act.

Also:

H. J. R. 139. Relative to the untimely death of Margaret Mitchell, the Legislature of Alabama deeply deplores the tragic loss of this great woman.

Also:

H. J. R. 157. Relative to relieving the doorkeepers of the two Houses and the Secretary of State of all responsibility for the Codes and Acts furnished the members of the Legislature.

Also:

H. J. R. 158. Relative to designating House Bill No. 380 as the Miller, Sellers, White (Covington), Nelson, Burnside, Hardwick, Patterson, Gullledge Bill.

Also:

H. J. R. 162. Relative to the names of Gullledge, Hardwick and Lowe being added as authors of House Bills 769, 770 and 771.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILL AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 578. To create and establish a collegiate School of Nursing at the University of Alabama to be known as "University of Alabama School of Nursing" and to provide for its organization, housing and equipment, operation, maintenance, ownership, management, and control.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the House Amendment to the bill:

S. 326. To regulate the use of motor vehicles owned by the State of Alabama; and to require the identification of motor vehicles owned by the State, making it a misdemeanor for any person to operate a motor vehicle owned by the State which is not identified or marked as required by this act.

And said bill, as amended by the report of the Committee of Conference, was again read at length and passed.

And said bill, together with the report of the Committee of Conference, is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Boutwell:

S. J. R. 92. Relative to proclaiming the week beginning January 23rd, 1950 as ALABAMA HOME COMING WEEK.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 407. To amend Act No. 1, H. B. 46, approved May 22, 1945, entitled, "To conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount to two per cent of the gross value, at the point of production, of oil and gas produced in Alabama," (General Acts of 1945, pp. 1-20).

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING

The Bill:

H. 1094. To amend Act Number 162, H. B. 152 approved August 21, 1923 (Local Acts of Alabama, 1923, pp. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary, and to provide for the election of the County Treasurer of Chilton County, Alabama by the qualified voters of said County."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Gulledge	Howle	
Allen	Coleman	Hardwick	Hughes	
Boutwell	Fite	Harvey	Kimbrell	
Bridges	Gaither	Henderson	Patterson	
Burnside	Glover	Hooton	Summerlin	
Cater	Golson			—21

Nays: —0

The Bill:

H. 190. To make an appropriation for the support and maintenance of the Tuskegee Institute.

was taken up.

Mr. Henderson offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR H. B. 190

A BILL TO BE ENTITLED AN ACT

To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics and agriculture.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of \$225,000 is appropriated out of the funds in the State treasury not otherwise appropriated to the State Superintendent of Education in each of the fiscal years ending September 30, 1950 and September 30, 1951 for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering and veterinary medicine. At his option the State Superintendent of Education may use a part of this appropriation during the school years 1949-50 and 1950-51 to negotiate contracts with Tuskegee Institute for graduate instruction of Alabama residents in home economics and agriculture. The State Superintendent of Education shall negotiate the contracts and expend the appropriations in accordance with those rules and regulations promulgated by the State Board of Education in compliance with Act No. 64, approved June 1, 1945, (General Acts of Alabama, 1945, S. 35, p. 61).

Section 2. This Act shall become effective on October 1, 1949.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kimbrell	Perry
Boutwell	Golson	Lamberth	Quarles
Bridges	Gulledge	Langan	Russell
Burnside	Hardwick	Lowe	Summerlin
Cater	Harvey	Mize	Swift
Clayton	Henderson	Owens	Wright
Coleman	Hooton		

—33

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kimbrell	Perry
Boutwell	Golson	Lamberth	Quarles
Bridges	Gulledge	Langan	Russell
Burnside	Hardwick	Lowe	Summerlin
Cater	Harvey	Mize	Swift
Clayton	Henderson	Owens	Wright
Coleman	Hooton		

—33

Nays:

—0

UNFINISHED BUSINESS

The Senate proceeded to further consideration of the motion carried over from the last Legislative Day, which motion was the motion of Mr. Hardwick to reconsider the vote by which the bill:

H. 719. To propose an amendment to the Constitution of Alabama providing that the Senate of Alabama shall be composed of one senator from each county; ordering an election upon the proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

was lost on the Thirty-third Legislative Day.

Mr. Henderson moved to lay on the table the motion to reconsider and the motion to table was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Coleman	Henderson	Perry
Boutwell	Glover	Hughes	Quarles
Cater	Golson	Lowe	Wright
Clayton	Gulledge	Mize	

—14

Nays:

Messrs.:	Gaither	Kimbrell	Patton
Allen	Hardwick	Lamberth	Russell
Bridges	Harvey	Langan	Summerlin
Burnside	Hooton	Owens	Swift
Fite	Howle	Patterson	

—18

PAIR ANNOUNCED

Mr. Barrett announced that he was paired with Mr. Kendall on this vote; that Mr. Kendall, if present, would vote "nay" and he, Mr. Barrett, would vote "aye".

The question then recurred on the motion of Mr. Hardwick to reconsider the vote by which the bill, H. B. 719, was lost on the Thirty-third Legislative Day, for failure to receive the required Constitutional majority, and said vote was reconsidered.

MOTION IN WRITING

Mr. Hardwick offered the following motion in writing, to-wit:

I move that the Rules Committee be required to make a report to the Senate within one hour on the appointment of Wm. P. Screws for the office of ABC Board, which appointment has been sent to the Senate for confirmation by the Governor.

Mr. Allen offered the following amendment to the motion, to-wit:

Amend motion by adding after the words "within one hour" the words "after final disposition by Senate of 67 Senator Bill and voter qualification Bill".

Mr. Hardwick moved to lay on the table the amendment offered by Mr. Allen for the motion and the motion to table was lost.

Yeas 15; Nays 16.

Yeas:

Messrs.:	Fite	Howle	Mize
Barrett	Gaither	Kimbrell	Owens
Bridges	Hardwick	Lamberth	Patterson
Cater	Harvey	Langan	Summerlin

—15

Nays:

Messrs.:	Coleman	Henderson	Quarles
Allen	Glover	Lowe	Russell
Boutwell	Golson	Patton	Swift
Burnside	Gulledge	Perry	Wright
Clayton			

—16

And the amendment offered by Mr. Allen to the motion was then adopted.

Yeas 18; Nays 14.

Yeas:

Messrs.:	Clayton	Henderson	Quarles	
Allen	Coleman	Hooton	Russell	
Boutwell	Glover	Lowe	Swift	
Bridges	Golson	Patton	Wright	
Burnside	Gulledge	Perry		—18

Nays:

Messrs.:	Gaither	Kimbrell	Owens	
Barrett	Lambdick	Lamberth	Patterson	
Cater	Harvey	Langan	Summerlin	
Fite	Howle	Mize		—14

And the motion, as thus amended, was then adopted by the Senate.

REPORT FROM RULES COMMITTEE

Mr. Swift, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report with substitute, to-wit:

S. R. 90. Relative to requesting Supreme Court Opinion as to whether under the provisions of Section 125 of the Constitution the Governor has the right to refuse to accept a bill when presented to him.

The Rules Committee reported the following substitute for the resolution, to-wit:

WHEREAS, Senate Bills 172, 206, 446, and 478 were duly passed by both Houses of the Legislature, were duly enrolled, and were duly signed by the presiding officer of each House in the presence of that House on the thirty-fourth Legislative Day, 26 August, 1949, and an authorized official of the Senate carried the said Bills to the Governor's office at to-wit 5 P. M. on that date, which time was duly recorded by the Secretary of the Senate, at which time the door of the Governor's office was closed, and there was no response to repeated knocks for entrance, and the Governor's Executive Secretary came on to the Senate floor at to-wit 5:20 P. M. on said date, at which time Senate Bill 172 was presented to him by an authorized official of the Senate, but he refused to accept the same;

NOW THEREFORE BE IT RESOLVED BY THE SENATE OF ALABAMA that the Justices of the Supreme Court be requested to render to it an advisory opinion under Title 13, Section 34, Code of Alabama 1940 on the following important constitutional question:

1. Were said Bills duly presented to the Governor under the provisions of Section 125 of the Constitution of Alabama on 26 August 1949?

Which was adopted.

And said resolution, as thus amended by the substitute, was then adopted by the Senate.

Yeas 20; Nays 9.

Yeas:

Messrs.:	Clayton	Hooton	Perry
Allen	Coleman	Lowe	Quarles
Boutwell	Glover	Mize	Russell
Bridges	Gulledge	Patterson	Swift
Burnside	Henderson	Patton	Wright
Cater			

—20

Nays:

Messrs.:	Hardwick	Kimbrell	Langan
Barrett	Harvey	Lamberth	Owens
Fite	Howle		

—9

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 109. To amend Section 745 of Title 37 of the Code of Alabama (1940), as amended by Act No. 355, H. B. 510; approved August 15, 1947, which relates to the maximum amount of privilege or license taxes which the several municipalities within the state may annually assess against, or collect from certain public utilities.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 190. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics and agriculture.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 112. To Amend Section 365, Title 61, Code of Alabama of 1940.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

By Mr. Cater:

S. J. R. 94. Relative to the naming of Senate Bill 634.

Also:

By Mr. Cater:

S. J. R. 95. Relative to naming of Senate Bill 635.

Also:

By Mr. Cater:

S. J. R. 96. Relative to naming of Senate Bill 636.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 517. To amend Section 110 of Title 51 of the Code of Alabama (1940), which relates to the procedure on appeals from decisions of boards of equalization.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1063. To amend Section 81 of Title 51 of the Code of Alabama (1940), which relates to the valuation of real property assessed for taxes in counties having a population of 200,000 or more.

Also:

H. 1094. To amend Act Number 162, H. B. 152 approved August 21, 1923 (Local Acts of Alabama, 1923 pp. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary, and to provide for the election of the County Treasurer of Chilton County, Alabama by the qualified voters of said County."

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immedi-

ately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the Resolution:

By Rules Committee:

H. J. R. 156. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today they adjourn to meet again on Tuesday, September 6, 1949, at Nine O'Clock A. M.

And requests a Committee of Conference, and the House has named as the Committee of Conference on the part of the House:

Messrs. Crocker, Givhan and Inzer.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clayton the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the resolution, H. J. R. 156, set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as conferees on part of the Senate Messrs. Boutwell, Coleman and Lamberth.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 463. To provide for the vaccination against Brucellosis or Bang's Disease of calves at State expense, in order to reduce the prevalence or to exterminate contagious abortion or Bang's Disease and Brucellosis in cattle; to exempt certain classes of calves from the provisions of this Act; to provide that such vaccination be performed by the State Veterinarian or other qualified persons; to require the marking of calves already vaccinated; to prescribe the time and area in which the vaccination program shall be administered; to authorize the State Veterinarian to exempt from vaccination certain calves; to provide for a penalty to any person not complying with this Act or obstructing the State Veterinarian; to provide that if any section of this Act be held unconstitutional, the remainder shall be valid; to provide for an appropriation to carry out the provisions of this Act, and to provide for the effective date of this Act; and to repeal conflicting laws.

Also:

S. 218. To authorize the county governing body of each of the several counties of the State to purchase equipment or supplies and pay for services performed for the sheriff of the county, which equipment, supplies, and services are reasonably necessary for the suppression of crime, the apprehension of criminals, or the proper performance of the sheriff's duties.

Also:

S. 400. To make it unlawful for any person to expose, or to procure another to expose, his sexual organs or private parts in a vulgar and indecent manner; and prescribing penalties for violations of the Act.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 491. To further define and extend the powers, authority and duties of the Deputy Circuit Solicitor of the Tenth Judicial Circuit of the State of Alabama who is elected by the people; to provide and impose additional duties for such Deputy Circuit Solicitor, and to provide for additional compensation for such Deputy Circuit Solicitor, and to make provision for the payment of such additional compensation.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Pinson:

H. J. R. No. 169. Be it resolved by the House, the Senate concurring House Bill 190 is to be known as the Pinson-Patton and Henderson Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The rules were suspended and the resolution, H. J. R. 169, set out in the foregoing Message from the House, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request the Senate to return to the House for further consideration House Bill 264 with the Governor's message containing a suggested amendment.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Swift, the Senate acceded to the request of the House for the return thereto of the bill, H. B. 264, together with message from the Governor proposing an executive amendment.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1005. To authorize the County Board of Education of the County or the City Board of Education of a city in any county in which a special sales tax, gross receipts tax or use tax is levied by local act of the Legislature for public school purposes to issue and sell interest bearing warrants with principal and interest to be paid from the revenue arising from such special taxes and allocated to the issuing board under such local act of the Legislature, and to authorize such board to pledge such revenue to the payment of the principal of and the interest on such warrants.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Golson	Hooton	
Allen	Clayton	Gulledge	Howle	
Barrett	Coleman	Hardwick	Kimbrell	
Boutwell	Fite	Harvey	Patton	
Bridges	Gaither	Henderson	Summerlin	
Burnside	Glover			—21

Nays: —0

The Bill:

H. 1101. For the relief of O. B. Martin and Bertha Martin, and to authorize, empower and direct the Court of County Commissioners of Chilton County, Alabama, and the Treasurer of Chilton County, Alabama, to pay to the said O. B. Martin and Bertha Martin, the sum of \$104.00 out of the general fund in the Treasury of said County, not otherwise appropriated, in order to reimburse or compensate the said O. B. Martin and Bertha Martin for damage done to a store building owned by them in Chilton County, Alabama, by the operation of a caterpillar patrol owned by Chilton County, Alabama, and being operated in the grading and improvement of its roads.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Golson	Hooton	
Allen	Clayton	Gulledge	Howle	
Barrett	Coleman	Hardwick	Hughes	
Boutwell	Fite	Harvey	Lamberth	
Bridges	Gaither	Henderson	Summerlin	
Burnside	Glover			—21

Nays: —0

The Bill:

H. 1090. To amend Section 1 of an act entitled "To provide an expense allowance for the Superintendent of Education of Marion County," approved June 2, 1949.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Golson	Hooton
Allen	Clayton	Gulledge	Howle
Barrett	Coleman	Hardwick	Hughes
Boutwell	Fite	Harvey	Kimbrell
Bridges	Gaither	Henderson	Summerlin
Burnside	Glover		

—21

Nays:

—0

RESOLUTION

Mr. Wright offered the following Senate Joint Resolution, to-wit:

S. J. R. 99. BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring that Senate Bill No. 578 be known as the "Wright, Boutwell, Sullivan Bill".

And the rules were suspended and the resolution adopted by the Senate.

MOTION IN WRITING

Mr. Burnside offered the following motion in writing, to-wit:

I move that the Rules Committee be required to report all appointments by the Governor not later than three o'clock P. M. on the next legislative day except the appointment of Screws and Vinson.

Mr. Lowe offered the following amendment to the motion, to-wit:

Amend Motion of Senator from DeKalb to read as follows:

That the Rules Committee be required, immediately after the Senate ceases the passage of Bills, to report out for consideration of the Senate the appointments and nominations of the Governor except the appointments of Mr. Screws and Vinson.

On motion of Mr. Hardwick, said amendment was laid on the table.

Yeas 19; Nays 12.

Yeas:

Messrs.:	Fite	Kimbrell	Patterson
Barrett	Gulledge	Lamberth	Perry
Bridges	Hardwick	Langan	Russell
Burnside	Harvey	Mize	Summerlin
Cater	Howle	Owens	Wright

—19

Nays:

Messrs.:	Coleman	Hooton	Patton
Allen	Golson	Hughes	Quarles
Boutwell	Henderson	Lowe	Swift
Clayton			

—12

And said motion was then adopted.

Yeas 22; Nays 6.

Yeas:

Messrs.:	Gulledge	Hughes	Patton
Barrett	Hardwick	Kimbrell	Perry
Bridges	Harvey	Lamberth	Russell
Burnside	Henderson	Langan	Summerlin
Cater	Hooton	Mize	Wright
Fite	Howle	Patterson	

—22

Nays:

Messrs.:	Clayton	Lowe	Swift
Allen	Golson	Quarles	

—6

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Gulledge, further consideration of the bill, S. B. 461, was indefinitely postponed by the Senate.

On motion of Mr. Patterson, further consideration of the bill, S. B. 79, was indefinitely postponed by the Senate.

On motion of Mr. Cater, further consideration of the bills, H. B.'s 1051, 1052, 1053, 1054, 1055, 1105, 1106, and 1107, was indefinitely postponed by the Senate.

On motion of Mr. Boutwell, further consideration of the bills, H. B.'s 1016 and 1031, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 898. To establish a four member Board of Revenue for Houston County, Alabama; To fix the salaries of members of said Board, manner of payment, term of office and time of election of members thereof and to provide all their duties under said act, including their additional duties; to divide said county into four districts and to provide the effective date therefor; to provide for the election of their successors in office, and the duties of the

Judge of Probate with reference to said Board; to employ, discharge and fix the salary of the Road and Bridge Foreman; to provide that the Road and Bridge Foreman shall with the approval of the Board of Revenue employ and fix the compensation of agents, his assistants, overseers, workmen and laborers required for said work, and shall with the counsel, assistance and approval of said Board of Revenue purchase all necessary road material, machinery, teams, tools, supplies and equipment; to repeal all laws in conflict herewith and to fix qualifications of members of the Board of Revenue.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Golson	Hooton	
Allen	Clayton	Gulledge	Howle	
Barrett	Coleman	Hardwick	Hughes	
Boutwell	Fite	Harvey	Patterson	
Bridges	Gaither	Henderson	Summerlin	
Burnside	Glover			—21

Nays: —0

The Bill:

H. 1088. To impose extra, new and additional duties upon the members of the Board of Revenue of Tuscaloosa County, Alabama, other than the Probate Judge, and to provide additional compensation for the performance of such duties, and to provide an effective date for this act and to repeal all laws, and parts of laws in conflict with this act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Golson	Hooton	
Allen	Clayton	Gulledge	Howle	
Barrett	Coleman	Hardwick	Hughes	
Boutwell	Fite	Harvey	Mize	
Bridges	Gaither	Henderson	Owens	
Burnside	Glover			—21

Nays: —0

The Bill:

H. 721. To create the office of county solicitor of Clarke County, Alabama; to fix the qualifications of the county solicitor of such county; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space

and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Golson	Hooton	
Allen	Clayton	Gulledge	Howle	
Barrett	Coleman	Hardwick	Hughes	
Boutwell	Fite	Harvey	Kimbrell	
Bridges	Gaither	Henderson	Summerlin	
Burnside	Glover			—21

Nays: —0

The Bill:

H. 722. To abolish the office of deputy solicitor in Clarke County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Harvey	Patterson	
Allen	Gaither	Henderson	Patton	
Barrett	Glover	Hooton	Summerlin	
Boutwell	Golson	Howle	Swift	
Burnside	Gulledge	Hughes	Wright	
Coleman	Hardwick			—21

Nays: —0

The Bill:

H. 1102. Providing for the improvement, surfacing, and maintenance of certain roads and streets in Macon County: Authorizing the governing body of the City of Tuskegee to improve, surface, and maintain any roads or streets lying outside the corporate limits but within the police jurisdiction of the City of Tuskegee if the abutting property is assessed for the cost thereof; and providing the procedure for such assessment.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Harvey	Patterson	
Allen	Gaither	Henderson	Patton	
Barrett	Glover	Hooton	Perry	
Boutwell	Golson	Howle	Quarles	
Bridges	Gulledge	Hughes	Summerlin	
Burnside	Hardwick			—21

Nays: —0

The Bill:

H. 911. For the relief of Henry Boyd. Whereas, Henry Boyd, while in the course of his employment by the State Highway Department as a convict guard at a road camp was injured in an accident in the vicinity of Heflin in Cleburne County in 1942, his leg being fractured in the knee joint, and as a result thereof he is permanently crippled, therefore

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Gaither	Howle	Patterson
Allen	Glover	Hughes	Patton
Boutwell	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Fite	Hooton	Mize	Wright

—27

Nays:

—0

The Bill:

H. 1081. To apply in and only in counties in Alabama having a population of 400,000 inhabitants or more, according to the last or any subsequent Federal census and to empower and authorize the county commission, board of revenue, or like governing body of all such counties to authorize and approve a monetary allowance not to exceed the sum of fifty dollars monthly to be made to any of the members of such governing body for and on account of the use of an automobile owned or controlled by said member of such governing body in the event such automobile is used by such member of such governing body, partially or entirely, in connection with the performance of his official duties as a member of such governing body.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Golson	Hooton
Allen	Clayton	Gulledge	Howle
Barrett	Coleman	Hardwick	Hughes
Boutwell	Fite	Harvey	Patterson
Bridges	Gaither	Henderson	Summerlin
Burnside	Glover		

—21

Nays:

—0

The Bill:

H. 1109. To refund to Mrs. W. G. Yelverton by the State of

Alabama and the County of Montgomery, taxes heretofore paid by her to the Tax Collector of Montgomery County erroneously.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hardwick	Patterson	
Allen	Fite	Howle	Patton	
Barrett	Gaither	Hughes	Perry	
Boutwell	Glover	Kimbrell	Quarles	
Bridges	Golson	Lamberth	Summerlin	
Burnside	Gulledge			—21

Nays: —0

The Bill:

H. 1100. To provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000 or more according to the last or any future Federal census, and for the payment of benefits to employees of such counties, and without limiting the generality and comprehensiveness of the foregoing portion of this title, to amend Section 3 of that certain Act of the Legislature entitled "An Act to provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000 or more according to the last or any subsequent Federal census, and for the payment of benefits to employees of such counties", approved July 6, 1945 (General Acts of 1945, page 531) as heretofore amended by that certain Act of the Legislature entitled "An Act to amend Section 3 of Act No. 328, General Laws of Alabama, approved July 6, 1945 General Acts pp. 531 et seq.", approved October 9, 1947, Act No. 679 General Acts of 1947; and to amend Section 9 of that certain act of the Legislature entitled "An Act to provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000 or more according to the last or any subsequent Federal census, and for the payment of benefits to employees of such counties", approved July 6, 1945 (General Acts of 1945, page 531) as heretofore amended by that certain Act of the Legislature entitled "An Act to amend Section 8 and 9 of an Act of the Legislature entitled 'To provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000, or more, according to the last or any future Federal census, and for the payment of benefits to employees of such counties', approved September 30th, 1947, Act No. 508, General Acts of 1947.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Hooton	Perry
Allen	Golson	Howle	Quarles
Barrett	Gulledge	Hughes	Russell
Boutwell	Hardwick	Patterson	Summerlin
Fite	Harvey	Patton	Swift
Gaither	Henderson		

—21

Nays:

—0

The Bill:

H. 918. To amend Section 37 of Act No. 573 of the regular session of the Legislature of Alabama approved September 19, 1939, (General Acts of Alabama of 1939, Page 910 Et Seq.) as said Section 37 is set forth in Section 1 of Act No. 307 of the Regular Session of the Legislature of Alabama, approved June 28, 1943, which said Act No. 307 re-enacted and amended said Act No. 573, and which said Section 37 as set forth in Section 1 of said Act No. 307 provides as follows: "Section 37: No person employed after the effective date of this Act by any city subject hereto shall be entitled to the benefits nor subject to the burdens hereof. All benefits under the provision of this Act shall be reduced each month by an amount which the beneficiary receiving the same received during the then last previous month as salary, wages or compensation from any town, city, county or the State of Alabama."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Hooton	Perry
Allen	Golson	Howle	Quarles
Barrett	Gulledge	Hughes	Russell
Boutwell	Hardwick	Patterson	Summerlin
Fite	Harvey	Patton	Swift
Gaither	Henderson		

—21

Nays:

—0

The Bill:

H. 1078. To amend Sec. 287 of Title 62, of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Boutwell	Glover	Hardwick
Allen	Fite	Golson	Harvey
Barrett	Gaither	Gulledge	Henderson

Hooton	Owens	Perry	Russell	
Howle	Patterson	Quarles	Summerlin	
Hughes	Patton			—21
Nays:				—0

The Bill:

H. 1077. To fix the compensation or salaries of Tax Assessors and Tax Collectors in counties of 400,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require such officers to pay in to the county treasury of such county, or counties, all fees, commissions, costs or other emoluments which are now allowed by law.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Hooton	Patton	
Allen	Golson	Howle	Perry	
Barrett	Gulledge	Hughes	Quarles	
Boutwell	Hardwick	Owens	Russell	
Fite	Harvey	Patterson	Summerlin	
Gaither	Henderson			—21

Nays: —0

The Bill:

H. 1079. To amend Section 3 of Act No. 247, H. B. 512, approved November 9, 1932 (Local Acts of Alabama, Extra Session, 1932, page 98) entitled "An Act To establish a Jury Board in Jefferson County, Alabama, to fix the membership of said Board, to prescribe the qualifications and terms of office and provide for the appointment of the members thereof; to fix their compensation and to define their duties; to provide for the appointment, duties and compensation of the clerks of said Board, for the qualification of jurors, for the preparation of jury rolls and the filling and refilling of jury boxes; to provide for the method of serving notice upon jurors requiring their attendance for jury service and to provide for the payment of the necessary expenses of such Board."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Howle	Patton	
Allen	Golson	Hughes	Perry	
Barrett	Gulledge	Lamberth	Quarles	
Boutwell	Hardwick	Langan	Russell	
Fite	Harvey	Patterson	Wright	
Gaither	Henderson			—21

Nays: —0

The Bill:

H. 969. To propose an amendment to the Constitution of Alabama with respect to the filling of vacancies in the office of judge of the circuit court holding at Birmingham.

Was read a third time at length as required by the Constitution and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Owens
Allen	Fite	Howle	Patterson
Barrett	Gaither	Hughes	Patton
Boutwell	Glover	Lamberth	Perry
Bridges	Gulledge	Langan	Russell
Cater	Hardwick	Lowe	Summerlin
Clayton	Henderson	Mize	Swift

—27

Nays:

—0

The Bill:

H. 1108. To supplement the Jefferson County Sewer Amendment to the Constitution of Alabama, effective on November 15, 1948, and to authorize Jefferson County to construct, improve, extend and repair sewers and sewerage treatment plants in said county and to levy and collect sewer rentals or sewer service charges as provided in such Amendment; to provide for a Board of Arbitration which shall have jurisdiction to review or revise rates or rentals or service charges fixed by said County Commission, provide for the method of appealing to said Board of Arbitration, and to provide the power and authority of said Board of Arbitration with respect to appeals to said Board of Arbitration from orders of the said County Commission fixing rentals or service charges; to authorize the collection of such rentals or charges either by suit against the occupant of the parcels of property charged therewith or by foreclosure of the lien of such rentals or charges upon such parcels of property; to authorize the county and the towns and cities within said county to make contracts for the disposal and treatment of sewerage originating in said towns and cities; to authorize the county commission of said county to enforce payment of such rentals or charges by cutting off connections with the county's sewer system and with any water distribution system supplying water to the parcels of property liable for such rentals or charges; to require cities, towns or other public corporations, and to permit other persons, to cut off connections of such parcels of property with their water distribution systems when requested by the county commission; to require cities, towns or other public corporations, or other persons to furnish information as to water furnished to parcels of

property served by the county's sewer system; to provide for the method of foreclosing any assessments which remain unpaid, and to provide for the redemption from such assessment sales; and to authorize the county to make covenants or agreements with holders of bonds issued under the Amendment relative to the use of the proceeds of such bonds, the maintenance and operation of the county's sewer system, the charging and disposition of such revenues and other matters affecting the adequacy and enforcement of the lien of such bonds upon such rentals and charges.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the bill, to-wit:

AMENDMENT TO HOUSE BILL NO. 1108

House Bill No. 1108 is hereby amended in the following respects:

(1) Section 2 is amended by adding at the end of the first sentence thereof a new sentence reading as follows:

"Unless the context otherwise requires, the words "sewerage system" as used in this Act shall include the existing county system of sewers and sewerage treatment and disposal plants as well as future extensions and additions thereto."

(2) Section 4 is amended by inserting at the end of the first sentence thereof the following:

"Such sewer rentals or service charges may be collected from, and be lien upon, any person or property served by the sewerage system prior to as well as after the time when improvements financed by the issuance of bonds authorized under the Jefferson County Sewer Amendment to the Constitution shall be begun. Sewer rentals or service charges may be collected from, and become a lien upon, any person or corporation and the property of any persons or corporations, including municipal corporations, boards of education, any county, the State of Alabama or the Federal Government or any board, bureau, branch, agency or department of any thereof, and churches and benevolent and charitable corporations, associations and institutions of all kinds."

(3) Section 6 (b) is amended by inserting in the ninth line of the fourth paragraph of said Subsection (b) after the word "hearing" and before the words "the application" the following: "the person making"; and after the words "applications for the review" in the last line of said fourth paragraph insert the words "or his attorney" so that the last clause of the last sentence of said fourth paragraph shall read as follows:

"after hearing the County Commission or its agent or attorney and after hearing the person making the application for the review or his attorney and any other interested parties."

(4) Section 6 (b) is further amended by substituting the word "commission" for the word "somission" where the same appears in the second line of the fifth paragraph of said Subsection 6 (b).

(5) Section 9 is amended by striking out the word "accure" in the sixth line of said section and substituting in lieu thereof the word "accrue".

(6) Section 9 is further amended by striking out the words "twelve (12) months in sewerage service with respect to any property" where the same appear in the seventh and eighth lines of said Section 9 and insert in lieu thereof the following:

"the first twelve months sewerage service which shall be unpaid or delinquent with respect to any property".

(7) Section 13 is amended by inserting the word "court" immediately preceding the word "costs" where the same appears in the fourth line and also in the twelfth line of said Section 13.

And said Committee amendment was laid on the table.

Mr. Boutwell offered the following amendment to the bill, to-wit:

SENATE AMENDMENT TO HOUSE BILL NO. 1108

House Bill No. 1108 is hereby amended in the following respects:

(1) Section 2 is amended by adding at the end of the first sentence thereof a new sentence reading as follows:

"Unless the context otherwise requires, the words "sewerage system" as used in this Act shall include the existing county system of sewers and sewerage treatment and disposal plants as well as future extensions and additions thereto."

(2) Section 4 is amended by inserting at the end of the first sentence thereof the following:

"Such sewer rentals or service charges may be collected from, and be a lien upon, any property served by the sewerage system prior to as well as after the time when improvements financed by the issuance of bonds authorized under the Jefferson County Sewer Amendment to the Constitution shall be begun. Sewer rentals or service charges may be collected from, and become a lien upon, the property of any persons, firms, associations or corporations, including municipal corporations, boards of education, any county, the state of Alabama, or the Federal Government, or any board, bureau, branch, agency, or department of any municipal corporation, board of education, county, the State of Alabama, or the Federal Government, and churches and benevolent and charitable corporations, associations, and institutions of all character and kind."

(3) Section 6 (b) is amended by inserting in the ninth line of the fourth paragraph of said subsection (b) after the word "hearing", and before the words "its application" the following:

"the person making"; and after the words "application for the review" in the last line of said fourth paragraph insert the words "or his attorney" so that the last clause of the last sentence of said fourth paragraph shall read as follows:

"after hearing the County Commission or its agent or attorney and after hearing the person making the application for the review or his attorney and any other interested parties."

(4) Section 6 (b) is further amended by substituting the word "commission" for the word "sommission" where the same appears in the second line of the fifth paragraph of said subsection 6 (b).

(5) Section 9 is amended by striking out the word "accure" in the sixth line of said section and substituting in lieu thereof the word "accrue".

(6) Section 13 is amended by inserting the word "court" immediately preceding the word "costs" where the same appears in the fourth line and also in the twelfth line of said Section 13.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Hooton	Patton	
Allen	Golson	Howle	Perry	
Barrett	Gulledge	Hughes	Quarles	
Boutwell	Hardwick	Lowe	Russell	
Fite	Harvey	Patterson	Summerlin	
Gaither	Henderson			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gaither	Henderson	Patton	
Allen	Glover	Hooton	Perry	
Barrett	Golson	Howle	Quarles	
Boutwell	Gulledge	Hughes	Russell	
Bridges	Hardwick	Patterson	Summerlin	
Fite	Harvey			—21

Nays: —0

The Bill:

H. 1076. To provide for a Commissioner of Licenses in all counties of the State having a population of 350,000 or more according to the last or any subsequent Federal Census, for his tenure and appointment subject to any applicable civil service or merit system act and the repeal of all conflicting laws, including Section 865 of Title 51 of the Alabama Code of 1940.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the bill, to-wit:

AMENDMENT TO H. B. NO. 1076

H. B. No. 1076 is hereby amended by striking therefrom the following sentence:

"His salary shall be five thousand dollars (\$5,000.00) per annum payable as the salaries of other county employees are paid out of the general fund of the County.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Hooton	Perry	
Allen	Golson	Howe	Quarles	
Barrett	Gulledge	Hughes	Russell	
Boutwell	Hardwick	Patterson	Summerlin	
Fite	Harvey	Patton	Swift	
Gaither	Henderson			—21

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Howle	Patton	
Allen	Golson	Hughes	Russell	
Barrett	Gulledge	Lamberth	Summerlin	
Boutwell	Hardwick	Langan	Swift	
Fite	Harvey	Patterson	Wright	
Gaither	Henderson			—21

Nays:

—0

The Bill:

H. 1095. To authorize the governing body of Jackson County, Alabama, to call an election in said County for the purpose of determining whether or not an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever, gasoline or other liquid motor fuel or devices or substitutes therefor in said County shall be imposed; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such County to make reasonable rules and regulations for the collection of such tax, and to provide the enforcement of this Act and to fix the penalty for the violation of any provision of this

Act and of the rules and regulations prescribed by the governing body of such County for the collection of such tax.

was taken up.

Mr. Owens offered the following amendment to the bill, to-wit:

Amend House Bill 1095 by striking out Section XIII thereof and inserting in lieu thereof the following:

"Section XIII. The proceeds of the excise tax authorized in this Act, when collected by the governing body of Jackson County as above authorized, shall be paid into the Special Buildings, Bridges and Road Fund of Jackson County, Alabama, and shall be used exclusively for the construction, building, maintenance and repair of the public roads, public buildings and bridges of Jackson County, Alabama."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Golson	Hooton	
Allen	Clayton	Gulledge	Kimbrell	
Barrett	Coleman	Hardwick	Owens	
Boutwell	Fite	Harvey	Patterson	
Bridges	Gaither	Henderson	Summerlin	
Burnside	Glover			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hardwick	Hughes	
Allen	Clayton	Harvey	Langan	
Barrett	Coleman	Henderson	Owens	
Boutwell	Glover	Hooton	Patterson	
Bridges	Golson	Howle	Summerlin	
Burnside	Gulledge			—21

Nays: —0

The Bill:

H. 221. To amend Section 107 of Title 17 of the Code of Alabama (1940), which relates to instruction and assistance for voters at the polls where voting machines are used.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Owens
Allen	Gaither	Hughes	Patterson
Barrett	Glover	Kimbrell	Quarles
Boutwell	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Henderson	Lowe	Swift
Clayton	Hooton	Mize	Wright
Coleman			

—28

Nays:

—0

The Bill:

H. 218. To fix the penalty for election and primary election officials failing to serve unless excused as provided herein, in counties in which voting machines are used; and to provide for filling vacancies in the offices of election officials in such counties.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patterson
Allen	Fite	Kimbrell	Patton
Barrett	Gulledge	Lamberth	Quarles
Boutwell	Hardwick	Langan	Russell
Burnside	Harvey	Lowe	Summerlin
Cater	Henderson	Mize	Swift
Clayton	Hooton	Owens	Wright

—27

Nays:

—0

The Bill:

H. 214. To make it a felony for any person to personate a notary.

Was read a third time at length and passed.

Yeas 13; Nays 10.

Yeas:

Messrs.:	Cater	Howle	Patterson
Allen	Gaither	Hughes	Quarles
Boutwell	Gulledge	Lowe	Russell
Burnside	Henderson		

—13

Nays:

Messrs.:	Coleman	Hooton	Langan
Barrett	Fite	Kimbrell	Mize
Clayton	Hardwick	Lamberth	

—10

The Bill:

H. 705. For the relief of Roy Lynn.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Glover	Howle	Patterson	
Allen	Golson	Hughes	Patton	
Boutwell	Gulledge	Kimbrell	Quarles	
Burnside	Hardwick	Lamberth	Russell	
Cater	Harvey	Langan	Summerlin	
Clayton	Henderson	Lowe	Swift	
Fite	Hooton	Mize	Wright	
Gaither				—28

Nays: —0

The Bill:

H. 347. For the relief of Clifton E. Clement; making an appropriation of Thirty-five hundred dollars (\$3500) to Clifton E. Clement as compensation for the loss of his leg resulting from his service with the national guard.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Howle	Mize	
Allen	Glover	Hughes	Patterson	
Boutwell	Gulledge	Kimbrell	Patton	
Bridges	Hardwick	Lamberth	Quarles	
Burnside	Harvey	Langan	Russell	
Cater	Hooton	Lowe	Swift	
Fite				—24

Nays: —0

The Bill:

H. 1093. To provide for the redistricting of the Commissioner's Districts of Randolph County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Golson	Hooton	
Allen	Clayton	Gulledge	Howle	
Barrett	Coleman	Hardwick	Hughes	
Boutwell	Fite	Harvey	Patterson	
Bridges	Gaither	Henderson	Summerlin	
Burnside	Glover			—21

Nays: —0

The Bill:

H. 1104. To fix the compensation of the Tax Assessor of Lee County for assessing and of the Tax Collector of Lee County for collecting municipal ad valorem taxes in those municipalities in Lee County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Howle	Quarles	
Allen	Clayton	Hughes	Russell	
Barrett	Coleman	Patterson	Summerlin	
Boutwell	Gaither	Patton	Swift	
Bridges	Hardwick	Perry	Wright	
Burnside	Henderson			—21

Nays:

—0

The Bill:

H. 1103. Abolishing the fine and forfeiture fund of Lee County; providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clayton	Howle	Quarles	
Allen	Coleman	Hughes	Russell	
Boutwell	Hardwick	Patterson	Summerlin	
Bridges	Harvey	Patton	Swift	
Burnside	Henderson	Perry	Wright	
Cater	Hooton			—21

Nays:

—0

The Bill:

H. 871. To amend Section 169 of Title 10 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 22; Nays 1.

Yeas:

Messrs.:	Fite	Henderson	Patterson	
Allen	Gaither	Howle	Quarles	
Barrett	Glover	Hughes	Russell	
Boutwell	Gulledge	Lamberth	Swift	
Burnside	Hardwick	Langan	Wright	
Cater	Harvey	Lowe		—22

Nay: Mr. Hooton —1

The Bill:

H. 1044. Relating to Choctaw County: To authorize and direct the governing body of Choctaw County to pay the salaries of clerks for the Tax Assessor and Tax Collector of the county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Golson	Hooton	
Allen	Clayton	Gulledge	Howle	
Barrett	Coleman	Hardwick	Hughes	
Boutwell	Fite	Harvey	Patterson	
Bridges	Gaither	Henderson	Summerlin	
Burnside	Glover			—21

Nays: —0

The Bill:

H. 1072. To consolidate the offices of Circuit Clerk and Register of the Chancery Court of Calhoun County, and prescribing the duties and compensation of the Circuit Clerk of Calhoun County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Howle	Quarles	
Allen	Clayton	Hughes	Russell	
Barrett	Coleman	Patterson	Summerlin	
Boutwell	Fite	Patton	Swift	
Bridges	Hardwick	Perry	Wright	
Burnside	Hooton			—21

Nays: —0

The Bill:

H. 216. To provide further for furnishing information of convictions to boards of registrars by requiring justices of the peace, notaries public ex officio justices of the peace, and clerks of all county courts or other courts of record to report the names of persons convicted of crimes disqualifying them from voting; providing a penalty for violations of the Act.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Gulledge	Kimbrell	Quarles
Boutwell	Hardwick	Lamberth	Russell
Burnside	Harvey	Langan	Swift
Cater	Henderson	Lowe	Wright
Clayton	Hooton	Mize	

—26

Nays:

—0

The Bill:

H. 1083. To amend Section 2 of Act 187, H. 500, approved July 24, 1947 (Local Acts of Alabama, 1947, page 103) entitled "An Act to provide for a Deputy Clerk of the Circuit Court of Calhoun County, and to fix his powers, duties and compensation."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Hughes	Quarles
Allen	Clayton	Kimbrell	Russell
Barrett	Coleman	Patterson	Summerlin
Boutwell	Fite	Patton	Swift
Bridges	Henderson	Perry	Wright
Burnside	Howle		

—21

Nays:

—0

The Bill:

H. 220. To amend Section 102 of Title 17 of the Code of Alabama (1940), which relates to preliminaries to opening the polls where voting machines are used.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Glover	Kimbrell	Patterson
Allen	Gulledge	Lamberth	Patton
Barrett	Hardwick	Langan	Quarles
Boutwell	Henderson	Lowe	Russell
Cater	Hooton	Mize	Swift
Clayton	Howle	Owens	Wright
Fite	Hughes		

—25

Nays:

—0

The Bill:

H. 1087. To amend Chapter 9 of Title 15 of the Code of Alabama (1940), as amended by Act No. 199, H. B. 233, approved July 8, 1949 (General Acts of Alabama, 1949), which relates to bail by defining the power, authority, and jurisdiction of the courts in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in this State having a population of not less than seventy-five thousand (75,000) and not more than one hundred thirteen thousand (113,000) inhabitants according to the last or any subsequent Federal census; and to authorize the courts in such counties to remit, in whole or in part, the penalty of such bail bonds as the ends of justice may, unto the court, appear to require.

was taken up.

Mr. Mize offered the following amendment to the bill, to-wit:

Amend H. B. 1087 by striking from the caption and the body of the bill the words and figures "seventy-five thousand (75,000) and substituting in lieu thereof the words and figures "seventy-two thousand (72,000)" and by striking from the caption and body of the bill the words and figures "one hundred thirteen thousand (113,000)" and substituting in lieu thereof the words and figures "three hundred thousand (300,000)"

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Gaither	Howle	Patterson
Allen	Glover	Hughes	Perry
Barrett	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Fite	Hooton	Mize	Wright

—27

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Gaither	Howle	Patterson
Allen	Glover	Hughes	Perry
Barrett	Golson	Kimbrell	Quarles
Boutwell	Gulledge	Lamberth	Russell
Bridges	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Fite	Hooton	Mize	Wright

—27

Nays:

—0

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 253. To amend Section 94 of Title 36 of the 1940 Code of Alabama, which relates to motor vehicles.

Also:

S. 627. To provide for and to authorize in counties having a population of 400,000 or more according to the last or any subsequent federal census the business of clearing roots and other foreign obstructions from sewer lines in cities and municipalities by means of power cutting machines, provided entrance is made at established clean out caps or plugs only, and without otherwise affecting the established sewer lines or fixtures.

Also:

S. 629. To provide for the combination of the Offices of License Inspector or Department or Revenue or any like office or department and the Office of Commissioner of Licenses or any like office or department in any county having a population of 400,000 or more according to the last or any succeeding Federal Census whenever the Offices of License Inspector or Director of Revenue or Commissioner of Licenses in any such county shall become vacant, and to provide for the designation and appointment of the Director of Revenue to be head of such combined Department under the provisions of any applicable Civil Service or Merit System Law and to provide for the salary of such Director and to provide for the employees of such Department of Revenue.

Also:

S. 633. To authorize and empower the Tax Assessor of Fayette County, Alabama to appoint a Clerk; to authorize and empower the Tax Collector of Fayette County, Alabama, to appoint a clerk: to fix the salary of both said Clerks, and to provide for the method of payment of salary of each of said Clerks.

Also:

S. 634. To amend Section 561 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

Also:

S. 635. To alter, rearrange and extend the boundary lines and corporate limits of the City of Montgomery, in Montgomery County, Alabama; and to prescribe the time when this Act shall become effective.

Also:

S. 636. To amend Section 565 of Title 62, Code of Alabama of 1940; relating to the City of Montgomery.

Also:

S. 637. To amend Sections 4 and 8 of an Act entitled "To establish an inferior court in Blount County, Alabama, with concurrent jurisdiction of Justice of the Peace Courts in said County and to define the jurisdiction and powers of said Court and the Judge thereof; to provide for the execution of processes of said Court and the operation thereof, to provide for the effect of recorded judgments of said Court, to provide for the appointment, election and term of office, qualifications and compensations of the judge thereof, and to provide the place and times of the holding of such Court," approved July 17, 1931.

Also:

S. 638. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama.

Also:

S. 639. To amend Act Number 162, H. B. 152 approved August 21, 1923 (Local Acts of Alabama, 1923 PP. 78-79), entitled "To create the office of County Treasurer of Chilton County, Alabama, to define the duties of such office; to fix the term of the office, and to prescribe the salary, and to provide for the election of the County Treasurer of Chilton County, Alabama by the qualified voters of said County."

Also:

S. 640. For the relief of C. O. Lawrence, M. D., and to authorize, empower and direct the Court of County Commissioners of Chilton County, Alabama, and the Treasurer of Chilton County, Alabama, to pay to the said C. O. Lawrence, M. D., the sum of \$57.00 out of the general fund of the Treasury of said County, not otherwise appropriated, in order to reimburse the said C. O. Lawrence, M. D., for medical services and other services rendered by him on account of the injuries to the said Bertha Martin, caused by the caterpillar patrol owned and operated by Chilton County, Alabama.

Also:

S. 642. To abolish the Commissioners Court of Blount County, Alabama, and to establish in lieu thereof the Board of Revenue of Blount County, Alabama; to provide that said Board of Revenue shall consist of a chairman and four other members; to designate and name the first members of said Board and to provide for election of their successors; to fix the terms of office of the mem-

bers of said Board; to prescribe the qualifications of the members of said Board; to divide the county into four districts; to prescribe and fix the terms and sessions of said Board and quorum thereof; to prescribe, fix and limit the powers, jurisdiction, duties and authority of said Board; to provide that all general laws which may hereafter be enacted affecting county governing bodies shall apply to said Board; to provide for and fix the compensation of the members of said Board; to provide for the filling of any vacancies that may occur on said Board.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 190. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering and veterinary medicine, and for graduate instruction of Alabama residents in home economics and agriculture.

Also:

H. 1020. To provide for and require the reidentification of each qualified elector in all counties in the State having a population of 400,000 or more according to the last or any subsequent Federal Census; and to require the Board of Registrars in any such county to take the necessary action to purge the lists of the qualified electors in any such county and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a wilfully false statement in connection with his reidentification shall be guilty of perjury.

Also:

H. J. R. 165. Relative to felicitations of the Legislature being cordially extended to Dr. John M. Gallalee, President of the University, Dr. Ralph B. Draughon, President of Alabama Polytechnic Institute and Dr. John T. Caldwell, President of Alabama College for their achievement.

Also:

H. J. R. 166. Relative to naming House Bill 635 the Taylor of Autauga, McIlwain and Wright bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 189. To amend Sections 171 and 174, Title 28, of the 1940 Code of Alabama, and to repeal Sections 177 and 178, Title 28, of the 1940 Code of Alabama.

Was read a third time at length and passed.

Yeas 26; Nays 1.

Yeas:

Messrs.:	Gulledge	Kimbrell	Patton	
Allen	Hardwick	Lamberth	Quarles	
Barrett	Harvey	Langan	Russell	
Burnside	Henderson	Lowe	Summerlin	
Cater	Hooton	Mize	Swift	
Clayton	Howle	Owens	Wright	
Coleman	Hughes	Patterson		—26

Nay: Mr. Fite —1

The Bill:

H. 1086. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cater	Golson	Hooton	
Allen	Clayton	Gulledge	Howle	
Barrett	Coleman	Hardwick	Hughes	
Boutwell	Fite	Harvey	Kimbrell	
Bridges	Gaither	Henderson	Summerlin	
Burnside	Glover			—21

Nays: —0

The Bill:

H. 248. To protect blind or incapacitated pedestrians on public streets, roads, and highways; designating an emblem or sign to be

carried by blind or incapacitated pedestrians and forbidding the carrying of such an emblem by other pedestrians; requiring the drivers of vehicles and other pedestrians to use every precaution in certain instances; and imposing penalties for violations of this Act.

was taken up.

The Standing Committee on Public Roads and Highways reported the following amendment to the bill, to-wit:

To amend Section 1 by striking out the last sentence thereof.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Patterson	
Allen	Fite	Hughes	Quarles	
Barrett	Glover	Kimbrell	Russell	
Boutwell	Gulledge	Lamberth	Summerlin	
Burnside	Hardwick	Langan	Swift	
Cater	Henderson	Mize	Wright	
Clayton	Hooton	Owens		—26

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Fite	Kimbrell	Quarles	
Barrett	Gaither	Lamberth	Russell	
Boutwell	Gulledge	Langan	Summerlin	
Burnside	Henderson	Mize	Swift	
Cater	Hooton	Owens	Wright	
Clayton	Howle	Patterson		—26

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

By Mr. Wright:

S. J. R. No. 99. Relative to naming of Senate Bill No. 578.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 1108. To supplement the Jefferson County Sewer Amendment to the Constitution of Alabama, effective on November 15, 1948, and to authorize Jefferson County to construct, improve, extend and repair sewers and sewerage treatment plants in said county and to levy and collect sewer rentals or sewer service charges as provided in such Amendment; to provide for a Board of Arbitration which shall have jurisdiction to review or revise rates or rentals or service charges fixed by said County Commission, provide for the method of appealing to said Board of Arbitration, and to provide the power and authority of said Board of Arbitration with respect to appeals to said Board of Arbitration from orders of the said County Commission fixing rentals or service charges; to authorize the collection of such rentals or charges either by suit against the occupant of the parcels of property charged therewith or by foreclosure of the lien of such rentals or charges upon such parcels of property; to authorize the county and the towns and cities within said county to make contracts for the disposal and treatment of sewerage originating in said towns and cities; to authorize the county commission of said county to enforce payment of such rentals or charges by cutting off connections with the county's sewer system and with any water distribution system supplying water to the parcels of property liable for such rentals or charges; to require cities, towns or other public corporations, and to permit other persons, to cut off connections of such parcels of property with their water distribution system when requested by the county commission; to require cities, towns or other public corporations, or other persons to furnish information as to water furnished to parcels of property served by the county's sewer system; to provide for the method of fore-closing any assessments which remain unpaid, and to provide for the redemption from such assessment sales; and to authorize the county to make covenants or agreements with holders of bonds issued under the Amendment relative to the use of the proceeds of such bonds, the maintenance and operation of the county's sewer system, the charging and disposition of such revenues and other matters affecting the adequacy and enforcement of the lien of such bonds upon such rentals and charges.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bills:

H. 1095. To authorize the governing body of Jackson County, Alabama, to call an election in said County for the purpose of determining whether or not an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever, gasoline or other liquid motor fuel or devices or substitutes therefor in said County shall be imposed; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such County to make reasonable rules and regulations for the collection of such tax, and to provide the enforcement of this Act and to fix the penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of such tax.

H. 1076. To provide for a Commissioner of Licenses in all counties of the State having a population of 350,000 or more according to the last or any subsequent Federal Census, for his tenure and appointment subject to any applicable civil service or merit system act and the repeal of all conflicting laws, including Section 865 of Title 51 of the Alabama Code of 1940.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to H. J. R. 156. Said report of said Conference Committee being in words and figures as follows:

CONFERENCE COMMITTEE REPORT

Your Conference Committee reports the following substitute for House Joint Resolution No. 156.

BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today they adjourn to meet on Friday, September 9, 1949, at an hour to be fixed by each House.

BE IT FURTHER RESOLVED that for a period from September 3rd to September 9, 1949, both inclusive, the members of the House and Senate shall each receive \$100.00 for all per diem and expenses.

Z. P. CROCKER,
WALTER C. GIVHAN,
JOHN W. INZER,
ALBERT BOUTWELL
JAS. S. COLEMAN, JR.

I dissent from the above report.

BROUGHTON LAMBERTH.

And H. J. R. 156 as amended by the report of the Committee of Conference was adopted.

And said Resolution, together with the report of the Committee of Conference is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND CONFERENCE REPORT

Mr. Coleman moved that the Senate concur in the foregoing Conference Report on the disagreement of the two Houses on the Senate amendment to the resolution, H. J. R. 156, set out in the foregoing Message from the House.

Mr. Fite moved as a substitute motion that the Senate non-concur in the foregoing Conference Report and on motion of Mr. Clayton the motion of Mr. Fite was laid on the table.

Yeas 25; Nays 6.

Yeas:

Messrs.:	Bridges	Clayton	Golson
Allen	Burnside	Coleman	Gulledge
Boutwell	Cater	Gaither	Hardwick

Harvey	Hughes	Patterson	Russell	
Henderson	Lowe	Patton	Summerlin	
Hooton	Mize	Quarles	Wright	
Howle	Owens			—25

Nays:

Messrs.:	Fite	Lamberth	Swift	
Barrett	Kimbrell	Langan		—6

The question then recurred on the motion of Mr. Coleman and the Senate concurred in and adopted the Report of the Committee on Conference on the resolution, H. J. R. 156.

Yeas 24; Nays 6.

Yeas:

Messrs.:	Coleman	Hooton	Owens	
Allen	Gaither	Howle	Patterson	
Boutwell	Golson	Hughes	Quarles	
Bridges	Gulledge	Langan	Russell	
Burnside	Harvey	Lowe	Summerlin	
Cater	Henderson	Mize	Wright	
Clayton				—24

Nays:

Messrs.:	Fite	Kimbrell	Swift	
Barrett	Hardwick	Lamberth		—6

FILING OF MINORITY REPORT OF COMMITTEE ON CONFERENCE ON H. J. R. 156

Mr. Lamberth filed the following minority report, to-wit:

There is adopted all of said majority report except the last paragraph which is struck and there is adopted in lieu thereof the following: No expenses or pay shall be allowed except for the 36th Legislative Day.

Which was read.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Coburn:

H. J. R. 170. Be it Resolved by the House of Representatives, the Senate Concurring that House Bill 1005 be known as the Barnett, Rogers, Coburn, Fite and Patton bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The rules were suspended and the Resolution, H. J. R. 170, set out in the foregoing Message from the House was concurred in and adopted.

RESOLUTION

Mr. Patton offered the following Senate Joint Resolution, to-wit:

S. J. R. 100. BE IT RESOLVED by the Senate, the House concurring, that Senate Bill No. 400 which has passed the House and the Senate, be named the Kendall-Patton-Hardwick-Hooton and Merrill Bill.

And on motion of Mr. Patton, the rules were suspended and the resolution adopted by the Senate.

At 7:20 P. M. Mr. Harvey moved that the Senate adjourn until Friday, September 9, 1949, at 9:00 A. M., which motion was lost.

Yeas 9; Nays 20.

Yeas:

Messrs.:	Fite	Kimbrell	Langan	
Barrett	Harvey	Lamberth	Patterson	
Burnside	Howle			—9

Nays:

Messrs.:	Coleman	Hooton	Quarles	
Allen	Golson	Lowe	Russell	
Boutwell	Gulledge	Mize	Summerlin	
Bridges	Hardwick	Patterson	Swift	
Cater	Henderson	Patton	Wright	
Clayton				—20

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, with his objections and amendments to the bill:

H. 380. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, and the Board of Trustees of the Alabama Institute for Deaf and Blind.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning

House Bill No. 380, with suggested executive amendments.

Respectfully submitted,

O. H. Finney, Jr.,
O. H. FINNEY, JR.,
Executive Secretary.

September 2, 1949.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, House Bill 380 without my approval and with suggested amendments.

Study has shown that one of the greatest needs in the school system of this State is increased furnishing of free textbooks. In order to provide for free textbooks up to and including the ninth grade, it is suggested that the appropriation therefor be amended by increasing the sum \$450,000.00 to \$700,000.00 per annum. This additional \$250,000.00 under the provisions of the amendments herein suggested would be acquired from those programs which have received marked increases in this proposed measure.

The next proposed amendment does not increase the amount appropriated to Alabama Polytechnic Institute but merely changes the category under which the appropriation for the operation and maintenance of the Farm Machinery Laboratory and Farm is to be expended. This suggested amendment is proposed at the request of the President of Alabama Polytechnic Institute inasmuch as the Farm Machinery Laboratory and Farm are a teaching device rather than a device for agricultural research.

I am also proposing an amendment which would assure a uniform system of accounting and reporting for the funds of all public schools in the State. Under the present laws many school funds are not subject to any such system. Good government requires that all public funds be properly accounted for. This proposed amendment would provide for such.

I therefore respectfully suggest that House Bill 380 be amended as follows:

Amend House Bill No. 380 by striking from Section 5 thereof the figures "\$450,000.00" and substituting therefor the figures "\$700,000.00" and by inserting after the word "textbooks", the following words "in all grades up to and including the ninth grade".

Amend Section 10 of said bill by adding at the end of said section the following words and figures:

"In addition there is hereby appropriated for each of the fiscal years ending September 30, 1950 and September 30, 1951, for the operation and maintenance of the Farm Machinery Laboratory and Farm, the sum of \$11,600.00."

Amend Section 13 of said bill by striking therefrom sub-section (1).

Amend Section 16 of said bill by striking sub-section (b), the figures "\$840,034.00" and inserting in lieu thereof the figures "\$740,034.00".

Amend Section 16 of said bill, sub-section (c) (1), by striking the figures "\$2,129,000.00" and inserting in lieu thereof the figures "\$2,029,000.00".

Amend Section 16 of said bill, sub-section (c) (3), by striking the figures "\$325,000.00" and inserting in lieu thereof the figures "\$300,000.00".

Amend Section 16 of said bill sub-section (g) by striking the figures "\$500,000.00" and inserting in lieu thereof the figures "\$475,000.00".

Amend House Bill No. 380 by adding Section 19(b) to read as follows: "Section 19(b). Every public elementary school, high school, college or university, as a condition precedent to participate in any of the appropriations herein made, shall keep the books, records and accounts and shall make such reports as may be required by law of other State and County officers, agencies, or departments."

Amend said bill further by striking therefrom Section 22 and substituting Section 22 to read as follows:

"Section 22. This Act shall become effective on October 1, 1949."

The adoption of these amendments will remove my objections to House Bill No. 380.

Yours very truly,

James E. Folsom,
JAMES E. FOLSOM,
Governor.

September 2, 1949.

And the House has refused to concur in and adopt said Governor's amendment to the bill, House Bill 380.

And the House has reconsidered said House Bill No. 380 and said bill was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 65, Nays 10.

And said bill, together with the Governor's message containing his objections to said bill, is sent herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

The Senate reconsidered the bill, H. B. 380, the title of which is set out in the foregoing Message from the House.

And on motion of Mr. Patterson, the bill was again read at length and passed, the Governor's objections to the contrary notwithstanding.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Owens
Allen	Fite	Howle	Patterson
Barrett	Gaither	Hughes	Patton
Boutwell	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright

—31

Nays:

—0

Which was a majority of the whole number elected to the Senate.

**REPORT FROM COMMITTEE TO INVESTIGATE
PENAL AND CORRECTIONAL SYSTEM
OF THE STATE**

FROM: The Committee to Investigate the Penal and Correctional System of the State.

TO: The Legislature (The House of Representatives and the Senate).

SUBJECT: Revision of the State's Penal System.

Pursuant to the instructions of Act No. 233, H. J. R. 57 (Which became effective July 13, 1949), the Speaker of the House appointed Barnett, Ganett, Givhan, Martin, Meeks, McGowin, and Shirley and the President of the Senate appointed Burnside, Cater, Hooton, Lamberth, Patterson, Russell, and Swift as a committee to study, make investigations and inquiries and frame and report a bill for an Act revising the State's penal and correctional system.

This committee has used such time as was available in studying the penal system of the State, and has held several meetings at which witnesses were examined under oath and their testimony reduced to writing.

The committee interviewed several persons who are now closely associated with the prison system. It also examined several other persons, who, because of their present or former positions and their exhaustive study of problems of government and particularly of penal administration, were in a position to give expert advice on revising our prison system to conform to approved standards of penal administration. The witnesses examined, in the order in which they appeared before the committee, were:

Mr. Frank Boswell, Director of the Department of Corrections and Institutions.

Mr. I. J. Browder, formerly State Director of Personnel and now Director of the University Center, Birmingham, Alabama.

Mr. J. Stanley Frazer, Deputy Personnel Director, State Personnel Department.

Rev. Winsor Swearingen, Director of Religious and Educational Activities, State Department of Corrections and Institutions.

Mr. Fred Bice, Probation Officer, Pardon and Parole Board.

Mr. Howell Turner, Chairman, Board of Pardons and Parole.

Mr. Burr Reeves, Warden, Draper Prison.

Mrs. Edwina Mitchell, Member Board of Pardons and Paroles.

Mr. Bruce Airey, Director of Classification, Department of Corrections and Institutions.

The testimony of these witnesses showed conclusively:

1. That there was no scientific system of classifying prisoners in the Alabama prisons;

2. That adequate facilities for segregating prisoners were lacking;

3. That there were not enough various industries in the prisons;

4. That the change of directors every four years had a detrimental effect on the administration of the prisons;

5. That the opportunity for religious and educational activities was inadequate, there not being enough chaplains employed nor enough teachers;

6. That the calibre of the guards were sub-standard due to the long hours they are required to work and the low salaries paid them.

7. That the policies, rules and regulations of the department are not standardized and strictly followed.

A majority of these witnesses recommended that the system be improved by:

1. Installing a modern scientific classification system;

2. Providing adequate facilities for the segregation of certain types of prisoners;

3. Establishing in the prisons a system of diversified industries to serve the three-fold purpose of providing occupation for the prisoners, facilities for vocational training, and means of bringing in additional revenue which is much needed in the operation of the prisons;

4. Devising some method of making the director of corrections a continuing office.

5. Improving the facilities for religious and educational activities by employing capable, well-trained, teachers and chaplains and providing more suitable places of worship and additional opportunities for training in trades or vocations;

6. Improving the personnel of the department by increasing the pay, decreasing the hours of work and providing some in-service training;

7. Adopting standardized rules, regulations and policies for the entire department and strictly adhering to them after adoption.

Without exception every witness examined made some recommendation for improving our system of penal administration.

After weighing the testimony and recommendations of all the witnesses the committee unanimously adopted the following recommendations:

1. The system of classifying prisoners as they first enter the prison should be improved to the end that an adequate system of classification be instituted.

2. Proper and adequate segregation be instituted.

3. A system of diversified industries be established to the end that the prison population be suitably employed in productive work.

4. Legislation be enacted by which the office of the Director of Corrections and Institutions be made a continuing office.

In order that an efficient method of effectuating these recommendations might be devised and any bills needed to achieve these ends might be drafted, the Chairman, with the unanimous approval of the committee, appointed the following subcommittees:

To write the report: Mr. Meeks, Senator Patterson and Senator Burnside.

To study prison industries, make reports relative to the establishment of diversified industries and to collaborate with the other subcommittees in making the report: Mr. McGowin, Senator Cater, and Mr. Garrett.

To study the question of the advisability of establishing a board of corrections to be an over-all policy making board and the method of appointing a director: Mr. Martin, Mr. Shirley and Senator Hooton.

FROM: The Committee to Investigate the Penal and Correctional System of the State.

TO: The Legislature (The House of Representatives and the Senate).

SUBJECT: Revision of the State's Penal System.

The Official Legislative Prison Investigating Committee, by unanimous vote of all members present, adopted the reports of the subcommittees relative to the establishment of prison industries and the organization of a board of corrections. Copies of these reports are attached.

The committee again by unanimous vote of all members present, recommends the passage of the substitute for House Bill 601, which provides for the establishment of a Department of Corrections under the direction of a Board of Corrections and a Commissioner of Corrections, and also the passage of the substitute for House Bill 395, which provides an appropriation for the rebuilding of the Atmore Prison and the in-

stallation of machinery for the manufacture of shoes and paint to be used in State institutions.

Respectfully submitted,

G. ROBIN SWIFT, Chairman,
T. F. BURNSIDE,
SILAS D. CATER,
PAUL J. HOOTON,
BROUGHTON LAMBERTH,
A. L. PATTERSON,
NOBLE J. RUSSELL,
Committee of the Senate.

J. PAUL MEEKS, Vice-Chairman,
WILLIAM A. BARNETT,
W. W. GARRETT,
WALTER C. GIVHAN,
W. L. MARTIN, JR.,
EARL M. MCGOWIN,
MAX SHIRLEY,
Committee of the House.

REPORT OF SUBCOMMITTEE ON INDUSTRY TO THE JOINT LEGISLATIVE COMMITTEE APPOINTED TO INVESTIGATE THE PRISON SYSTEM OF THE STATE

Your Subcommittee on Industry respectfully submits the following report:

Our investigation discloses that it is highly desirable and in the best interest of the State of Alabama that the State prison system engage in industrial activities within a limited field for the purpose of furnishing gainful employment to prisoners while they are confined, and training them for gainful employment upon their return to private life. Through this medium prisoners who have occupations, skills, or trades when they enter prison can continue to pursue them, and prisoners who do not have them may be taught them.

Further, such activities will, in the opinion of your committee, afford a means for making the prison system of this State largely self-supporting and self-sustaining.

Our investigation discloses that there is already considerable industrial activity in the prison system at the present time, some of which is profitable and some of which is unprofitable. While the principal emphasis in such activity should be on the benefit which it will afford the prisoners engaged therein, your committee feels that a careful survey should be made by the prison authorities with the view of eliminating those activities which are not profitable and substituting in lieu thereof activities which will be profitable.

Too, your committee feels that the activities now engaged in which are profitable should be expended with a view to furnishing employment and training to a larger number of prisoners, and at the same time bringing in still larger profits.

With the limited facilities and resources available, it appears that the State prison system, under its present administration, has made an admirable beginning, generally speaking, in this important field, but there is room for much improvement. To the end that the industrial activities of the prison system of the State may be enlarged and expended within the proper fields, we recommend that experts in the type of industrial activities in which the State prison system engages be employed to manage and supervise the same, and that the prison authorities immediately institute the necessary reforms in the existing industrial

activities, and initiate plans for the expansion of the industrial activities in the State prison system.

It is the further belief of your subcommittee that the passage of H. B. 395 will be an important beginning in the development of proper industrial activities in the State prison system.

W. W. GARRETT,
Subcommittee Chairman.

SILAS D. CATER,
EARL McGOWIN.

RECOMMENDATIONS OF THE SUBCOMMITTEE TO STUDY THE ADVISABILITY OF ESTABLISHING A BOARD OF CORRECTIONS

In order to provide a continuous, coordinated and integrated system of corrections within the State this subcommittee recommends the establishment of a Department of Corrections to be composed of the State Board of Corrections, the office of Commissioner of Corrections and such other divisions as the State Board of Corrections determines to be necessary.

We further recommend that the Board of Corrections be composed of five members; that the members of the board be appointed for staggered terms, one member of the first board being appointed for two years, one for four years, one for six years, one for eight years, and one for ten years; that thereafter all members of the board shall be appointed for ten-year terms, but that they may be removed for any of the following causes stated by the appointing authority (provided for below): Inefficiency, malpractices in office, disgraceful conduct, intoxication, accepting bribes, or for the good of the penal system of the State.

We recommend that the Governor and a committee of three members of the House, elected by the House at this session and at each organizational session hereafter, and a committee of three members of the Senate, elected by the Senate at this current session of the Senate and at each organization session hereafter, shall act as an appointing authority for the purpose of appointing the first Board of Corrections and of filling any and all vacancies that may occur on the board. The Governor shall be one unit of this authority and shall be entitled to one vote and the committees from the two Houses of the Legislature shall each act as one unit have one vote. Any vacancies that occur in the House and Senate Committees when the Legislature is not in session shall be filled by appointment of the presiding officer of the House on whose committee the vacancy occurs. Each committee shall act as a unit in accordance with the vote of a majority of its members. All appointments to the Board of Corrections made by this appointing authority shall be confirmed by the Senate.

In order to effectuate these recommendations we suggest that a substitute for House Bill 601 be introduced which will incorporate the above recommendations into Section 3 thereof.

PAUL HOOTON,
Subcommittee Chairman.

W. L. MARTIN, Members.
MAX SHIRLEY, Members.

REPORT FROM SELECT COMMITTEE

The foregoing Report was read and ordered spread upon the Journal.

REPORT FROM RULES COMMITTEE

Mr. Swift, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report with substitute, to-wit:

S. R. 89. Relative to the Senate resolving itself into a Committee of the whole September 6, 7, and 8.

The Rules Committee reported the following substitute for the resolution, to-wit:

SUBSTITUTE FOR S. R. 89

RESOLVED by the Senate of Alabama that on Thursday, September 8, the Senate resolve itself into a committee of the Whole Senate for the purpose of taking up and considering any Bills that may be pending before the Senate on the last legislative day. The committee of the whole to convene at 10:00 A. M. on said day. The officers and employees of the Senate shall serve as such during the time the Senate is so meeting.

Which was adopted.

And said resolution, as thus amended, by the substitute, was then adopted by the Senate.

At 7:30 P. M. Mr. Langan moved that the Senate take a recess until 8:30 P. M. tonight, which motion was lost.

Yeas 9; Nays 20.

Yeas:

Messrs.:
Burnside
Fite

Hooton
Howle
Kimbrell

Lamberth
Langan

Owens
Russell

—9

Nays:

Messrs.:
Allen
Barrett
Boutwell
Bridges
Cater

Clayton
Coleman
Golson
Gulledge
Hardwick

Henderson
Hughes
Lowe
Mize
Patterson

Patton
Quarles
Summerlin
Swift
Wright

—20

BILLS ON THIRD READING RESUMED

The Bill:

H. 872. To amend Section 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts of Alabama, 1945, page 734), as amended, which establishes a state employees' retirement system. was taken up.

The Standing Committee on Rules reported the following amendment to the bill, to-wit:

AMENDMENT TO HOUSE BILL 872

Amend House Bill 872 by striking therefrom the period at the end of Subdivision (c) of Subsection (1) of the quoted matter in Section 1 thereof and inserting in lieu thereof a semi-colon and the following words: "or of any person who joined the system within the time specified in this Act and was in the employ of the State on June 1, 1945, if such person shall after attaining the age of seventy annually furnish to his department head or appointing authority a physician's certificate that he is mentally and physically capable of performing the duties of his position."

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Clayton	Hooton	Mize
Allen	Coleman	Howle	Patterson
Barrett	Fite	Hughes	Patton
Boutwell	Gulledge	Kimbrell	Quarles
Bridges	Hardwick	Lamberth	Russell
Burnside	Harvey	Langan	Summerlin
Cater	Henderson	Lowe	Swift

—27

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Clayton	Hooton	Mize
Allen	Coleman	Howle	Patterson
Barrett	Fite	Hughes	Patton
Boutwell	Gulledge	Kimbrell	Quarles
Bridges	Hardwick	Lamberth	Russell
Burnside	Harvey	Langan	Summerlin
Cater	Henderson	Lowe	Swift

—27

Nays:

—0

UNFINISHED BUSINESS

The Senate proceeded to further consideration of the bill:

H. 294. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

and pending amendment, which amendment was offered on the last Legislative Day.

Mr. Harvey moved that further consideration of the bill, and pending amendment, be indefinitely postponed, which motion was lost.

Yeas 9; Nays 20.

Yeas:

Messrs.: Barrett Fite	Harvey Howle Kimbrell	Lamberth Langan	Mize Owens	—9
-----------------------------	-----------------------------	--------------------	---------------	----

Nays:

Messrs.: Allen Boutwell Bridges Burnside Cater	Clayton Coleman Golson Gulledge Hardwick	Henderson Hooton Hughes Lowe Patterson	Patton Quarles Russell Swift Wright	—20
---	--	--	---	-----

Mr. Lamberth then moved that the amendment to the bill offered by him on the last Legislative Day be laid on the table which motion was adopted.

Mr. Lamberth then offered the following amendment to the bill, to-wit:

AMENDMENT TO HOUSE BILL 294

Amend House Bill 294 by striking therefrom the constitutional amendment set out in Section 1 and substituting therefor the following:

"Section 181. The following persons, and no others, who, if they are citizens of the United States over the age of twenty-one years and have the qualifications as to residence prescribed in Section 178 of this Article, shall be qualified to register as electors provided they shall not be disqualified under Section 182 of this Constitution: a) those who can read and write any Article of the Constitution of the United States in the English language, provided, however, that no person shall be entitled to register as an elector except those who are of good character and who understand and embrace the duties and obligations of citizenship under a republican form of government; and provided further that those persons who have registered as electors under the Alabama Constitution of 1901 shall not be required to register again; or b) those honorably discharged veterans who submit proof to the board of registrars that they served on active duty in the military or naval forces of the United States for ninety days or more during the period from December 7, 1941, to September 1, 1945, provided that said veterans are not disqualified by and/or under Section 182 of this Constitution and are 21 years of age or over.

At 8:00 P. M. Mr. Allen moved that the Senate adjourn until Friday, September 9, 1949, at 12:01 o'clock A. M., which motion was lost.

Yeas 11; Nays 14.

Yeas:

Messrs.:	Bridges	Golson	Hughes	
Allen	Clayton	Gulledge	Lowe	
Boutwell	Coleman	Hooton	Wright	—11

Nays:

Messrs.:	Hardwick	Lamberth	Patton	
Barrett	Harvey	Mize	Summerlin	
Cater	Henderson	Owens	Swift	
Fite	Howle	Patterson		—14

ADJOURNMENT

At 8:10 P. M. on motion of Mr. Allen and in accordance with Joint Resolution heretofore adopted and pending further consideration of H. B. 294, the Senate adjourned until Friday, September 9, 1949, at 1:00 A. M.

Yeas 14; Nays 12.

Yeas:

Messrs.:	Cater	Gulledge	Patterson	
Allen	Clayton	Hooton	Patton	
Boutwell	Coleman	Hughes	Wright	
Bridges	Golson	Lowe		—14

Nays:

Messrs.:	Harvey	Kimbrell	Owens	
Barrett	Henderson	Lamberth	Summerlin	
Fite	Howle	Mize	Swift	
Hardwick				—12

THIRTY-SIXTH LEGISLATIVE DAY

FRIDAY, SEPTEMBER 9, 1949

The Senate met pursuant to adjournment, Lieutenant-Governor Inzer presiding.

PRAYER

The Session was opened with prayer by Honorable T. F. Burnside, Senator from the Twenty-ninth District.

ROLL CALL

Present:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Russell
Burnside	Hardwick	Langan	Summerlin
Cater	Harvey	Lowe	Swift
Clayton	Henderson	Mize	Wright
Coleman	Hooton	Owens	

—34

JOURNAL

Mr. Hooton moved that the reading of the Journal of yesterday be dispensed with, and on objection of Mr. Fite, the Secretary began the reading at length of the Journal of yesterday.

At 3:10 A. M., the Secretary completed the reading at length of the Journal of the Thirty-fifth Legislative day, and same was approved by the Senate.

RESOLUTIONS

Mr. Hooton offered the following Senate Joint Resolution, to-wit:

S. J. R. 101. WHEREAS the printing of Bills, Resolutions, Roll Calls, Daily Calendars, Pamphlet Acts and other forms have been a necessary and vital part for the efficient functioning of this Legislature and

WHEREAS the Brown Printing Company through their Executive Vice President, Herbert R. Nation have cooperated with the Secretary of the Senate and the Clerk of the House far beyond the terms of their contract to the end that at no time has the business of the Legislature been delayed, said printer having been of constant service to this Legislature, therefore

BE IT RESOLVED by the Senate, the House concurring that the Brown Printing Company and Mr. Nation are hereby thanked and commended for their efficiency and promptness during this session of the Legislature.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Brown Printing Company.

And on motion of Mr. Hooton, the Rules were suspended and the Resolution adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 264, said Governor's message being in words and figures as follows, to-wit:

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, House Bill No. 264, with a suggested executive amendment.

Amend said bill by striking therefrom Section 3, and substituting therefor Section 3 to read as follows:

"Section 3. The Chief of Division of Service shall have the authority to carry out the provisions of this Act, and shall require that each department, office, bureau, board or agency of the State carry out fully the provisions of this Act applicable to such department, office, bureau, board or agency. In the event the Chief of Division of Service neglects to perform the duties imposed upon him by this Act, the Director of Finance shall report such neglect to the Personnel Board, which board shall administer such disciplinary action against the Chief of the Division of Service, including the right to discharge him, as the board deems proper under the circumstances. In the event the head of any department or officer in charge of any office, bureau, board or agency of the State neglects to perform the duties imposed upon him by this Act, he shall be liable for the sum of Five Dollars (\$5.00) for each day such neglect continues, and for the value of any and all personal property losses to the State as a result of such neglect."

This suggested amendment is made with the full knowledge and approval of the author of the bill, and if adopted will remove my objection to the bill.

Respectfully,

James E. Folsom,
JAMES E. FOLSOM,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 264, by a vote of Yeas 76, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 264. To prescribe a procedure and fix the responsibility for maintaining control of the State's personal property and fixing a penalty for neglect of any duty imposed by this Act.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 77, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

The Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. B. 264, the title of which is set out in the foregoing Message from the House.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Gaither	Harvey	Patterson	
Allen	Glover	Howle	Russell	
Boutwell	Golson	Kendall	Summerlin	
Burnside	Gulledge	Langan	Swift	
Cater	Hardwick	Mize		—18

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Glover	Henderson	Patterson	
Allen	Golson	Hooton	Russell	
Boutwell	Gulledge	Kendall	Summerlin	
Burnside	Hardwick	Langan	Swift	
Cater	Harvey	Mize		—18

Nays: —0

Which was a majority of the whole number elected to the Senate.

REPORT OF COMMITTEE OF THE WHOLE OF THE ALABAMA STATE SENATE

The Committee of the Whole of the Alabama State Senate, acting under a Senate Resolution passed on September 2, 1949, makes the following report to the Senate of Alabama on its meeting on September 8, 1949:

1. The Committee voted to recommend and does hereby recommend the passage of House Bill 130. It recommends, however, that the bill be amended by striking the October 1 date and inserting the date of November 15. The amendment changing the date was adopted by a Committee vote of 11 to 9, and the vote on the final recommendation for passage of the bill was 14 for and 7 opposed.

2. The Committee voted to recommend, and does hereby recommend, to the Senate the passage of the following House Bills now on the Senate Special Order Calendar:

H. B. 658	H. B. 306
H. B. 659	H. B. 307
H. B. 808	H. B. 278
H. B. 441	H. B. 179
H. B. 625	H. B. 180
H. B. 886	H. B. 181
H. B. 885	H. B. 182
H. B. 741	H. B. 94
H. B. 165	H. B. 355
H. B. 290	H. B. 647
H. B. 827	H. B. 812
H. B. 385	H. B. 1007
H. B. 962	H. B. 282
H. B. 395	H. B. 413
H. B. 75	H. B. 865
H. B. 913	H. B. 592
H. B. 873	H. B. 785
H. B. 1021	H. B. 237
H. B. 860	H. B. 125
H. B. 711	H. B. 268
H. B. 61	H. B. 91
H. B. 726	H. B. 959
H. B. 66	H. B. 810
H. B. 978	H. B. 499
H. B. 315	H. B. 972
H. B. 44	H. B. 295
H. B. 1058	H. B. 907
H. B. 191	H. B. 495
H. B. 134	H. B. 826

(s) JAMES B. ALLEN,
Chairman of the Committee of the
Whole of the Senate.

The foregoing report of the Committee of the Whole was read.

RESOLUTION

Mr. Lowe offered the following Senate Resolution, to-wit:

S. R. 102. Whereas, on the 35th Legislative day, the Senate of Alabama passed S. R. 90, requesting an advisory opinion of the Justices of the Supreme Court on an important constitutional question concerning Senate Bills 172, 206, 446 and 478: and,

Whereas, it now appears that it is impractical for the Justices to comply with said request before the sine die adjournment of the Legislature,

Now, Therefore, Be It Resolved by the Senate of Alabama, that said request for advisory opinion be withdrawn and that the Justices be forthwith notified of its withdrawal.

On motion of Mr. Lowe, the rules were suspended and the resolution adopted by the Senate.

Yeas 17; Nays 5.

Yeas:

Messrs.:	Cater	Henderson	Patterson	
Allen	Glover	Hooton	Russell	
Boutwell	Golson	Kendall	Swift	
Bridges	Gulledge	Mize	Wright	
Burnside	Hardwick			—17

Nays:

Messrs.:	Howle	Lamberth	Langan	
Fite	Kimbrell			—5

MOTION IN WRITING

Mr. Henderson offered the following motion in writing, to-wit:

In accordance with notice heretofore given I move to amend Senate Rule No. 34 which now reads as follows:

“The Committee on Rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour, and a vote be taken on the measure. The consideration of each special rule shall not exceed thirty minutes, when a vote shall be taken thereon, and if two-thirds of the elected members of the Senate shall vote favorably to limit debate then said rule shall have been adopted by the Senate.”

and provided further that during the consideration of House Bill No. 294 it shall read as follows:

“The Committee on Rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour, and a vote to be taken on the measure. The consideration of such special rule shall not exceed thirty minutes when a vote shall be taken thereon.”

and provided further that at the conclusion of the consideration of House Bill No. 294 it shall revert to its present status to read as follows:

“The Committee on Rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour, and a vote be taken on the measure. The consideration of each special rule shall not exceed thirty minutes, when a vote shall be taken thereon, and if two-thirds of the elected members of the Senate shall vote favorably to limit debate then said rule shall have been adopted by the Senate.”

Which was read and referred to the Standing Committee on Rules.

RESOLUTION

Messrs. Patterson, Kendall and Henderson offered the following Senate Joint Resolution, to-wit:

S. J. R. 103. WHEREAS, a well balanced economic development of this Nation is essential to the present and prospective general welfare of all the people; and

WHEREAS, the present and prospective development of a balanced economy demands the encouragement and development of all agricultural pursuits and enterprises; and

WHEREAS, the continued development and well being of the entire country depends on a sound agricultural program on parity with other pursuits; and

WHEREAS, agricultural groups should have equal recognition and encouragement along with all other National groups and interests; therefore,

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. That the Congress is hereby respectfully urged to enact legislation looking to the establishment of a National Day emphasizing the paramount importance of agriculture, to be known as "Farmers Day," in recognition of the importance of agriculture in a balanced National economy.

2. That a duly attested copy of this resolution be sent by the Secretary of State to the Secretary of Agriculture, Speaker of the House of Representatives, President Pro Tem of the Senate and to the members of the Congress from Alabama.

And on motion of Mr. Patterson, the rules were suspended and the resolution adopted by the Senate.

At 6:45 A. M. Mr. Mize moved that the Senate take a recess until 8:00 A. M. which motion was lost.

Yeas 7; Nays 14.

Yeas:

Messrs.:	Kimbrell	Langan	Mize	
Fite	Lamberth	Lowe	Patterson	
Howle				—7

Nays:

Messrs.:	Glover	Henderson	Quarles	
Boutwell	Golson	Hooton	Russell	
Bridges	Gulledge	Kendall	Swift	
Cater	Hardwick	Patton		—14

UNFINISHED BUSINESS
BILLS ON THIRD READING

The Senate proceeded to consideration of the unfinished business of yesterday, which was the bill:

H. 294. To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

and pending amendment offered by Mr. Lamberth, which said amendment is set out in the Journal of the Senate for the Thirty-fifth Legislative Day.

Mr. Harvey moved that further consideration of the bill, H. B. 294, and pending amendment be indefinitely postponed, and on motion of Mr. Coleman, the motion to postpone was laid on the table.

Yeas 20; Nays 7.

Yeas:

Messrs.:	Coleman	Henderson	Patterson	
Allen	Glover	Hooton	Patton	
Boutwell	Golson	Hughes	Quarles	
Burnside	Gulledge	Kendall	Russell	
Cater	Hardwick	Owens	Swift	
Clayton				—20

Nays:

Messrs.:	Harvey	Kimbrell	Langan	
Fite	Howle	Lamberth	Mize	
				—7

At 7:45 A. M. Mr. Patterson moved that the Senate take a recess until 9:00 A. M., which motion was lost.

Yeas 9; Nays 15.

Yeas:

Messrs.:	Harvey	Lamberth	Owens	
Burnside	Howle	Mize	Patterson	
Fite	Kimbrell			—9

Nays:

Messrs.:	Clayton	Gulledge	Quarles	
Allen	Coleman	Hardwick	Russell	
Boutwell	Glover	Henderson	Swift	
Cater	Golson	Patton	Wright	
				—15

RESOLUTION

Mr. Langan offered the following Senate Joint Resolution, to-wit:

S. J. R. 104. Be it resolved by the Senate the House concurring that the two houses do adjourn sine die at 12:00 o'clock noon, Sept. 9, 1949.

Which was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolutions with the original Senate Joint Resolutions and finds same correctly enrolled, to-wit:

S. J. R. 91. Relative to; The naming of Senate Bill No. 326.

Also:

S. J. R. 92. Relative to; Proclaiming Alabama Home Coming Week, January 23rd. 1950.

Also:

S. J. R. 94. Relative to; The naming of Senate Bill 634.

Also:

S. J. R. 95. Relative to; The naming of Senate Bill 635.

Also:

S. J. R. 96. Relative to; The naming of Senate Bill 636.

Also:

S. J. R. 99. Relative to; The naming of Senate Bill No. 578.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 109. To amend Section 745 of Title 37 of the Code of Alabama (1940), as amended by Act No. 355, H. B. 510, approved

August 15, 1947, which relates to the maximum amount of privilege or license taxes which the several municipalities within the state may annually assess against, or collect from certain public utilities.

Also:

S. 112. To Amend Section 365, Title 61, Code of Alabama of 1940.

Also:

S. 218. To authorize the county governing body of each of the several counties of the State to purchase equipment or supplies and pay for services performed for the sheriff of the county, which equipment, supplies, and services are reasonably necessary for the suppression of crime, the apprehension of criminals, or the proper performance of the sheriff's duties.

Also:

S. 326. To regulate the use of motor vehicles owned by the State of Alabama; and to require the identification of motor vehicles owned by the State, making it a misdemeanor for any person to operate a motor vehicle owned by the State which is not identified or marked as required by this act.

Also:

S. 400. To make it unlawful for any person to expose, or to procure another to expose, his sexual organs or private parts in a vulgar and indecent manner; and prescribing penalties for violations of the Act.

Also:

S. 407. To amend Act No. 1, H. B. 46, approved May 22, 1945, entitled, "To conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount to two per cent of the gross value, at the point of production, of oil and gas produced in Alabama," (General Acts of 1945, pp. 1-20).

Also:

S. 463. To provide for the vaccination against Brucellosis or Bang's Disease of calves at State expense, in order to reduce the prevalence or to exterminate contagious abortion or Bang's Disease and Brucellosis in cattle; to exempt certain classes of calves from the provisions of this Act; to provide that such vaccination

be performed by the State Veterinarian or other qualified persons; to require the marking of calves already vaccinated; to prescribe the time and area in which the vaccination program shall be administered; to authorize the State Veterinarian to exempt from vaccination certain calves; to provide for a penalty to any person not complying with this Act or obstructing the State Veterinarian; to provide that if any section of this Act be held unconstitutional, the remainder shall be valid; to provide for an appropriation to carry out the provisions of this Act, and to provide for the effective date of this Act; and to repeal conflicting laws.

Also:

S. 491. To further define and extend the powers, authority and duties of the Deputy Circuit Solicitor of the Tenth Judicial Circuit of the State of Alabama who is elected by the people; to provide and impose additional duties for such Deputy Circuit Solicitor, and to provide for additional compensation for such Deputy Circuit Solicitor, and to make provision for the payment of such additional compensation.

Also:

S. 517. To amend Section 110 of Title 51 of the Code of Alabama (1940), which relates to the procedure on appeals from decisions of boards of equalization.

Also:

S. 578. To create and establish a collegiate School of Nursing at the University of Alabama to be known as "University of Alabama School of Nursing" and to provide for its organization, housing and equipment, operation, maintenance, ownership, management, and control.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 100. Naming Senate Bill 400.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 721. To create the office of county solicitor of Clarke County, Alabama; to fix the qualifications of the county solicitor of such county; to provide for his election, term of office, and the method of appointment in the event of a vacancy; to define his powers and duties; to fix his salary; and to authorize the county governing body of such county to provide him with office space and necessary equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps.

Also:

H. 722. To abolish the office of deputy solicitor in Clarke County, Alabama.

Also:

H. 898. To establish a four member Board of Revenue for Houston County, Alabama; To fix the salaries of members of said Board, manner of payment, term of office and time of election of members thereof and to provide all their duties under said act, including their additional duties; to divide said county into four districts and to provide the effective date therefor; to provide for the election of their successors in office, and the duties of the Judge of Probate with reference to said Board; to employ, discharge and fix the salary of the Road and Bridge Foreman; to provide that the Road and Bridge Foreman shall with the approval of the Board of Revenue employ and fix the compensation of agents, his assistants, overseers, workmen and laborers required for said work, and shall with the counsel, assistance and approval of said Board of Revenue purchase all necessary road material, machinery, teams, tools, supplies and equipment; to repeal all laws in conflict herewith and to fix qualifications of members of the Board of Revenue.

Also:

H. 911. For the relief of Henry Boyd. Whereas, Henry Boyd, while in the course of his employment by the State Highway Department as a convict guard at a road camp was injured in an accident in the vicinity of Heflin in Cleburne County in 1942, his leg being fractured in the knee joint, and as a result thereof he is permanently crippled, therefore

Also:

H. 918. To amend Section 37 of Act No. 573 of the regular session of the Legislature of Alabama approved September 19, 1939, (General Acts of Alabama of 1939, Page 910 Et Seq.) as said Section 37 is set forth in Section 1 of Act No. 307 of the Regular Session of the Legislature of Alabama, approved June 28, 1943, which said Act No. 307 re-enacted and amended said Act No. 573, and which said Section 37 as set forth in Section 1 of said Act No. 307 provides as follows: "Section 37: No person employed after the effective date of this Act by any city subject hereto shall be entitled to the benefits nor subject to the burdens hereof. All benefits under the provision of this Act shall be reduced each month by an amount which the beneficiary receiving the same received during the then last

previous month as salary, wages or compensation from any town, city, county or the State of Alabama."

Also:

H. 969. To propose an amendment to the Constitution of Alabama with respect to the filling of vacancies in the office of judge of the circuit court holding at Birmingham.

Also:

H. 1005. To authorize the County Board of Education of the County or the City Board of Education of a city in any county in which a special sales tax, gross receipts tax or use tax is levied by local act of the Legislature for public school purposes to issue and sell interest bearing warrants with principal and interest to be paid from the revenue arising from such special taxes and allocated to the issuing board under such local act of the Legislature, and to authorize such board to pledge such revenue to the payment of the principal of and the interest on such warrants.

Also:

H. 1076. To provide for a Commissioner of Licenses in all counties of the State having a population of 350,000 or more according to the last or any subsequent Federal Census, for his tenure and appointment subject to any applicable civil service or merit system act and the repeal of all conflicting laws, including Section 865 of Title 51 of the Alabama Code of 1940.

Also:

H. 1077. To fix the compensation or salaries of Tax Assessors and Tax Collectors in counties of 400,000 inhabitants, or more, according to the last or any subsequent Federal census; and to require such officers to pay in to the county treasury of such county, or counties, all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

H. 1078. To amend Sec. 287 of Title 62, of the Code of Alabama of 1940.

Also:

H. 1079. To amend Section 3 of Act No. 247, H. B. 512, approved November 9, 1932 (Local Acts of Alabama, Extra Session, 1932, page 98) entitled "An Act To establish a Jury Board in Jefferson County, Alabama, to fix the membership of said Board, to prescribe the qualifications and terms of office and provide for the appointment of the members thereof; to fix their compensation and to define their duties; to provide for the appointment, duties and compensation of the clerks of said Board, for the qualification of jurors, for the preparation of jury rolls and the filling and refilling of jury boxes; to provide for the method of serving notice upon jurors requiring their attendance for jury service and to provide for the payment of the necessary expenses of such Board."

Also:

H. 1081. To apply in and only in counties in Alabama having a population of 400,000 inhabitants or more, according to the last or any subsequent Federal census and to empower and authorize the county commission, board of revenue, or like governing body of all such counties to authorize and approve a monetary allowance not to exceed the sum of fifty dollars monthly to be made to any of the members of such governing body for and on account of the use of an automobile owned or controlled

by said member of such governing body in the event such automobile is used by such member of such governing body, partially or entirely, in connection with the performance of his official duties as a member of such governing body.

Also:

H. 1088. To impose extra, new and additional duties upon the members of the Board of Revenue of Tuscaloosa County, Alabama, other than the Probate Judge, and to provide additional compensation for the performance of such duties, and to provide an effective date for this act and to repeal all laws, and parts of laws in conflict with this act.

Also:

H. 1090. To amend Section 1 of an act entitled "To provide an expense allowance for the Superintendent of Education of Marion County," approved June 2, 1949.

Also:

H. 1095. To authorize the governing body of Jackson County, Alabama, to call an election in said County for the purpose of determining whether or not an excise tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever, gasoline or other liquid motor fuel or devices or substitutes therefor in said County shall be imposed; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such County to make reasonable rules and regulations for the collection of such tax, and to provide the enforcement of this Act and to fix the penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of such tax.

Also:

H. 1100. To provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000 or more according to the last or any future Federal census, and for the payment of benefits to employees of such counties, and without limiting the generality and comprehensiveness of the foregoing portion of this title, to amend Section 3 of that certain Act of the Legislature entitled "An Act to provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000 or more according to the last or any subsequent Federal census, and for the payment of benefits to employees of such counties," approved July 6, 1945 (General Acts of 1945, page 531) as heretofore amended by that certain Act of the Legislature entitled "An Act to amend Section 3 of Act No. 328, General Laws of Alabama, approved July 6, 1945 General Acts pp. 531 et seq.," approved October 9, 1947, Act No. 679 General Acts of 1947; and to amend Section 9 of that certain act of the Legislature entitled "An Act to provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000 or more according to the last or any subsequent Federal census, and for the payment of benefits to employees of such counties," approved July 6, 1945 (General Acts of 1945, page 531) as heretofore amended by that certain Act of the Legislature entitled "An Act to amend Section 8 and 9 of an Act of the Legislature entitled 'To provide for the establishment and administration of retirement systems for county employees in counties having a population of 400,000, or more, according to the last or any future Federal census, and for the payment of benefits to employees of

such counties,' approved September 30th, 1947, Act No. 508, General Acts of 1947.

Also:

H. 1101. For the relief of O. B. Martin and Bertha Martin, and to authorize, empower and direct the Court of County Commissioners of Chilton County, Alabama, and the Treasurer of Chilton County, Alabama, to pay to the said O. B. Martin and Bertha Martin, the sum of \$104.00 out of the general fund in the Treasury of said County, not otherwise appropriated, in order to reimburse or compensate the said O. B. Martin and Bertha Martin for damage done to a store building owned by them in Chilton County, Alabama, by the operation of a caterpillar patrol owned by Chilton County, Alabama, and being operated in the grading and improvement of its roads.

Also:

H. 1102. Providing for the improvement, surfacing, and maintenance of certain roads and streets in Macon County: Authorizing the governing body of the City of Tuskegee to improve, surface, and maintain any roads or streets lying outside the corporate limits but within the police jurisdiction of the City of Tuskegee if the abutting property is assessed for the cost thereof; and providing the procedure for such assessment.

Also:

H. 1108. To supplement the Jefferson County Sewer Amendment to the Constitution of Alabama, effective on November 15, 1948, and to authorize Jefferson County to construct, improve, extend and repair sewers and sewerage treatment plants in said county and to levy and collect sewer rentals or sewer service charges as provided in such Amendment; to provide for a Board of Arbitration which shall have jurisdiction to review or revise rates or rentals or service charges fixed by said County Commission, provide for the method of appealing to said Board of Arbitration, and to provide the power and authority of said Board of Arbitration with respect to appeals to said Board of Arbitration from orders of the said County Commission fixing rentals or service charges; to authorize the collection of such rentals or charges either by suit against the occupant of the parcels of property charged therewith or by foreclosure of the lien of such rentals or charges upon such parcels of property; to authorize the county and the towns and cities within said county to make contracts for the disposal and treatment of sewerage originating in said towns and cities; to authorize the county commission of said county to enforce payment of such rentals or charges by cutting off connections with the county's sewer system and with any water distribution system supplying water to the parcels of property liable for such rentals or charges; to require cities, towns or other public corporations, and to permit other persons, to cut off connections of such parcels of property with their water distribution systems when requested by the county commission; to require cities, towns or other public corporations, or other persons to furnish information as to water furnished to parcels of property served by the county's sewer system; to provide for the method of foreclosing any assessments which remain unpaid, and to provide for the redemption from such assessment sales; and to authorize the county to make covenants or agreements with holders of bonds issued under the Amendment relative to the use of the proceeds of such bonds, the maintenance and operation of the county's sewer system, the charging and disposition of such revenues and other matters affecting the adequacy and enforcement of the lien of such bonds upon such rentals and charges.

Also:

H. 1109. To refund to Mrs. W. G. Yelverton by the State of Alabama and the County of Montgomery, taxes heretofore paid by her to the Tax Collector of Montgomery County erroneously.

Also:

H. J. R. 169. Relative to House Bill 190 being known as the Pinson-Patton and Henderson Bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution, the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

S. J. R. 103. Relative to urging Congress to enact legislation looking to the establishment of a National Day emphasizing the paramount importance of agriculture, to be known as "Farmers Day".

Also:

S. J. R. 101. Expressing thanks to the Brown Printing Company and Mr. Nation for their efficiency and promptness during this session of the Legislature.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 248. To protect blind or incapacitated pedestrians on public streets, roads, and highways; designating an emblem or sign to be carried by blind or incapacitated pedestrians and forbidding the carrying of such an emblem by other pedestrians; requiring the drivers of vehicles and other pedestrians to use every precaution in certain instances; and imposing penalties for violations of this Act.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 872. To amend Section 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts of Alabama, 1945, page 734), as amended, which establishes a state employees' retirement system.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 518, with a suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

September 9, 1949.

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 518, with a suggested executive amendment.

It is respectfully suggested that this bill be amended by adding at the end of Section 8 thereof, the following:

"Any meeting held by the Board of Directors for any purpose whatsoever shall be open to the public and notice of any such meeting shall be published in a newspaper of general circulation published in the municipality at least one week before the date of such meeting, or if no newspaper is published in the municipality then such notice may be given by publication in any newspaper of general circulation published in the county in which the municipality is located. In either event, such notice shall specify the items of business to be considered at such meeting."

The suggested executive amendment has the full knowledge and approval of the author of the bill, and if adopted will remove my objection to said bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Cater the Senate concurred in and adopted the foregoing amendment proposed by His Excellency, the Governor, to the bill:

S. 518. To authorize the incorporation with respect to the several municipalities in this state of nonprofit public corporations for the purpose of promoting industry, developing trade, and furthering the use of agricultural and natural resources; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporations; to authorize such corporations to issue bonds payable solely from

the revenues and receipts derived from any such properties and to secure such bonds by pledges of such revenues and receipts and by mortgages on such properties; to authorize the refunding of any such bonds; to provide that all bonds of such corporations shall be negotiable instruments; to provide for remedies in the event of default in such bonds; to exempt from taxation such corporations and their properties and income, and their bonds and the income therefrom; to provide that such municipalities shall not be liable for any obligations or agreements of such corporations; to provide for the disposition of any earnings of the corporation; to provide that upon dissolution of such corporations all funds held by them and title to their properties shall vest in the municipalities with respect to which they are organized; to provide for the filing of the certificates of incorporation, deeds to such corporations, and their mortgages and certificates of dissolution without the payment of any taxes; and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Owens	
Allen	Fite	Hughes	Patterson	
Barrett	Gaither	Kendall	Perry	
Boutwell	Glover	Kimbrell	Russell	
Bridges	Gulledge	Lamberth	Summerlin	
Cater	Hardwick	Langan	Wright	
Clayton	Hooton	Mize		—26

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Patterson	
Allen	Glover	Kimbrell	Patton	
Barrett	Gulledge	Lamberth	Perry	
Boutwell	Henderson	Langan	Russell	
Bridges	Hooton	Lowe	Summerlin	
Cater	Howle	Mize	Swift	
Clayton	Hughes	Owens	Wright	
Coleman				—28

Nays:

—0

Which was a majority of the whole number elected to the Senate.

FURTHER CONSIDERATION OF H. B. 294

The Senate then proceeded to further consideration of the bill, H. B. 294, and pending amendment.

And said amendment offered by Mr. Lamberth to the bill, H. B. 294, was then lost.

Yeas 8; Nays 18.

Yeas:

Messrs.:
Barrett
Fite

Howle
Kimbrell

Lamberth
Langan

Mize
Patterson

—8

Nays:

Messrs.:
Allen
Boutwell
Bridges
Cater

Clayton
Coleman
Glover
Gulledge
Henderson

Hooton
Hughes
Kendall
Lowe
Patton

Perry
Russell
Summerlin
Swift

—18

Mr. Langan then offered the following substitute for the bill, H. B. 294, to-wit:

By Mr. Langan:

SUBSTITUTE—HOUSE BILL 294

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment of Section 181 of the Constitution of Alabama fixing the qualifications to register as an elector and providing therefor and ordering an election upon such proposed amendment to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment of Section 181 of the Constitution of Alabama is proposed to become valid as a part of the said Constitution when approved by a majority of the qualified electors voting thereon at the election provided for in Section 2 hereof, the result of such election to be made known by proclamation of the Governor.

Amendment

“Section 181. The following persons, and no others, who, if they are citizens of the United States over the age of twenty-one years and have the qualifications as to residence prescribed in Section 178 of this Article, shall be qualified to register as electors provided they shall not be disqualified under Section 182 of this

Constitution: those who can read and write any Article of the Constitution of the United States in the English language which may be submitted to them by the Board of Registrars, and who make a grade of seventy percent correct on a written questionnaire, which applicant shall be furnished by the Board of Registrars and which shall be uniform in all cases with no discrimination as between applicants, the form and contents of which questionnaire shall be prescribed by the Supreme Court of Alabama from time to time and filed by such Court with the Secretary of State of the State of Alabama, which questionnaire shall be so worded that the answers thereto will demonstrate applicant's understanding of our system of government. Such questionnaire shall be answered in writing by the applicant, in the presence of the Board without assistance, and there shall be incorporated in such answer an oath to support and defend the Constitution of the United States and the Constitution of the State of Alabama and a statement in such oath by the applicant disavowing belief in or affiliation at any time with any group or party which advocates the overthrow of the government of the United States or the State of Alabama by unlawful means, which answers and oath shall be duly signed and sworn to by the applicant before a member of the County Board of Registrars. Such questionnaire and the written answers of the applicant thereto shall be filed with the records of the respective Board of Registrars. Those persons who have registered as electors under the Alabama Constitution of 1901 shall not be required to register again. Provided, further, that if solely because of physical handicaps the applicant is unable to read or write, then he shall be exempt from the above stated requirements which he is unable to meet because of such physical handicap, and in such cases a Member of the Board of Registrars shall read to the applicant the questionnaire and oaths herein provided for and the applicant's answers thereto shall be written down by such Board Member, and the applicant shall be registered as a voter if he meets all other requirements herein set out."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Alabama Code of 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in every county of the State in which a newspaper is published, and in every county in which no newspaper is published a copy of such notice shall be posted at the courthouse for four successive weeks next preceding the day appointed for the election.

Section 4. Such amendment shall be known as the "Voter Qualification Amendment."

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 189. To amend Sections 171 and 174, Title 28, of the 1940 Code of Alabama, and to repeal Sections 177 and 178, Title 28, of the 1940 Code of Alabama.

Also:

H. 214. To make it a felony for any person to personate a notary.

Also:

H. 216. To provide further for furnishing information of convictions to boards of registrars by requiring justices of the peace, notaries public ex officio justices of the peace, and clerks of all county courts or other courts of record to report the names of persons convicted of crimes disqualifying them from voting; providing a penalty for violations of the Act.

Also:

H. 218. To fix the penalty for election and primary election officials failing to serve unless excused as provided herein, in counties in which voting machines are used; and to provide for filling vacancies in the offices of election officials in such counties.

Also:

H. 220. To amend Section 102 of Title 17 of the Code of Alabama (1940), which relates to preliminaries to opening the polls where voting machines are used.

Also:

H. 221. To amend Section 107 of Title 17 of the Code of Alabama (1940), which relates to instruction and assistance for voters at the polls where voting machines are used.

Also:

H. 248. To protect blind or incapacitated pedestrians on public streets, roads, and highways; designating an emblem or sign to be carried by blind or incapacitated pedestrians and forbidding the carrying of such an emblem by other pedestrians; requiring the drivers of vehicles and other pedestrians to use every precaution in certain instances; and imposing penalties for violations of this Act.

Also:

H. 347. For the relief of Clifton E. Clement: making an appropriation of Thirty-five hundred dollars (\$3500) to Clifton E. Clement as compensation for the loss of his leg resulting from his service with the national guard.

Also:

H. 705. For the relief of Roy Lynn.

Also:

H. 871. To amend Section 169 of Title 10 of the Code of Alabama of 1940.

Also:

H. 872. To amend Section 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts of Alabama, 1945, page 734), as amended, which establishes a state employees' retirement system.

Also:

H. 1044. Relating to Choctaw County: To authorize and direct the governing body of Choctaw County to pay the salaries of clerks for the Tax Assessor and Tax Collector of the county.

Also:

H. 1072. To consolidate the offices of Circuit Clerk and Register of the Chancery Court of Calhoun County, and prescribing the duties and compensation of the Circuit Clerk of Calhoun County.

Also:

H. 1083. To amend Section 2 of Act 187, H. 500, approved July 24, 1947 (Local Acts of Alabama, 1947, page 103) entitled "An Act to provide for a Deputy Clerk of the Circuit Court of Calhoun County, and to fix his powers, duties and compensation."

Also:

H. 1086. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, Houston County, Alabama.

Also:

H. 1093. To provide for the redistricting of the Commissioner's Districts of Randolph County, Alabama.

Also:

H. 1103. Abolishing the fine and forfeiture fund of Lee County: providing for the payment of charges against the fine and forfeiture fund from the general fund; requiring re-registration of existing registered claims against the fine and forfeiture fund and barring existing claims that are not registered and existing registered claims that are not re-registered.

Also:

H. 1104. To fix the compensation of the Tax Assessor of Lee County for assessing and of the Tax Collector of Lee County for collecting municipal ad valorem taxes in those municipalities in Lee County which avail themselves of the "Optional Method of Collecting Municipal Taxes," set forth in Title 37, Chapter 15, Article 2, Sections 698-732, Code of Alabama 1940, as amended.

Also:

H. J. R. 170. Relative to House Bill 1005 being known as the Barnett, Rogers, Coburn, Fite and Patton bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a

two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 380. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1950, and September 30, 1951, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, and the Board of Trustees of the Alabama Institute for Deaf and Blind.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolution with the original Senate Joint Resolution and finds same correctly enrolled, to-wit:

S. J. R. 100. Relative to: The naming of Senate Bill No. 400.

R. G. KENDALL, JR.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING

The Bill:

H. 1067. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Gulledge	Kendall	Russell	
Barrett	Hardwick	Kimbrell	Summerlin	
Boutwell	Harvey	Lamberth	Swift	
Bridges	Henderson	Patterson	Wright	
Burnside	Howle			—21

Nays: —0

The Bill:

H. 1116. To amend Section 1 of Act No. 137, H. B. 520, approved June 16, 1945, entitled "An Act To allow the President of the County Board of Education of Marengo County pay for not more than fifteen days in any one year and to allow the other members of the Marengo Board of Education pay for not more than twelve days in any one year, payable from the General School Funds of Marengo County, Alabama" (Local Acts of Alabama, 1945, page 79).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Kimbrell	Quarles	
Allen	Gulledge	Lamberth	Russell	
Barrett	Hardwick	Langan	Summerlin	
Boutwell	Henderson	Patterson	Swift	
Burnside	Hooton	Perry	Wright	
Coleman	Kendall			—21

Nays: —0

The Bill:

H. 1015. Relating to counties with populations of not less than 46,250 nor more than 48,100 inhabitants: providing an additional clerk for the tax collector of such a county.

was taken up.

Mr. Harvey offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR H. B. 1015

A BILL
TO BE ENTITLED
AN ACT

Relating to counties with populations of not less than 46,250 nor more than 48,100 inhabitants: to provide additional clerks for the tax collector and the tax assessor of such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 46,250 nor more than 48,100 inhabitants, according to the most recent federal census, the governing bodies of such counties shall provide an additional clerk for the tax collector and an additional clerk for the tax assessor. These clerks shall be appointed by the tax collector and the tax assessor, respectively, and each shall be paid a salary of one thousand eight hundred dollars (\$1,800) per annum out of any funds in the county treasury not otherwise appropriated.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, and shall remain in effect until the first day of the regular session of the Legislature in 1951.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Hughes	Patton	
Allen	Gulledge	Kendall	Russell	
Barrett	Hardwick	Kimbrell	Summerlin	
Boutwell	Harvey	Lamberth	Swift	
Bridges	Henderson	Patterson	Wright	
Burnside	Howle			—21

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Glover	Lamberth	Quarles	
Boutwell	Golson	Langan	Russell	
Bridges	Hardwick	Patterson	Summerlin	
Burnside	Harvey	Patton	Swift	
Fite	Henderson	Perry	Wright	
Gaither	Kimbrell			—21

Nays:

—0

The Bill:

H. 1122. To alter and re-arrange the boundary lines of the City of Troy, Alabama, so as to include within the corporate limits of said City the territory described in Section 1 of this Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Kimbrell	Quarles	
Allen	Hardwick	Lamberth	Russell	
Barrett	Harvey	Patterson	Summerlin	
Boutwell	Henderson	Patton	Swift	
Bridges	Hooton	Perry	Wright	
Burnside	Kendall			—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolutions:

By Mr. Ingalls:

H. J. R. 172. Be it resolved by the House, the Senate concurring that House Bill No. 784 be named the Brown, Clayton, Cater Bill.

Also:

By Mr. Ingalls:

H. J. R. 173. BE IT RESOLVED by the House of Representatives, the Senate concurring, that Senate Bill 160, which has passed both houses, be known and designated as the Henderson-Taylor (Autauga) bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cater, the rules were suspended and the resolutions, H. J. R. 172 and 173, set out in the foregoing Message from the House, were adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 318. To repeal Act 710, approved October 9, 1947; to provide for the transfer to the Employees' Retirement System all of the cash and securities held in the State Highway Patrol Retirement Fund; to provide for the transfer of members of the State Highway Patrol Retirement System to membership in the Employees' Retirement System as Patrolmen of the Division of Highway Patrol; and to make an appropriation to discharge the administrative expense incurred by the State Highway

Patrol Retirement Board during the period from January 1, 1948, to September 30, 1949.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 518. To authorize the incorporation with respect to the several municipalities in this state of nonprofit public corporations for the purpose of promoting industry, developing trade, and furthering the use of agricultural and natural resources; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporations; to authorize such corporations to issue bonds payable solely from the revenues and receipts derived from any such properties and to secure such bonds by pledges of such revenues and receipts and by mortgages on such properties; to authorize the refunding of any such bonds; to provide that all bonds of such corporations shall be negotiable instruments; to provide for remedies in the event of default in such bonds; to exempt from taxation such corporations and their properties and income, and their bonds and the income therefrom; to provide that such municipalities shall not be liable for any obligations or agreements of such corporations; to provide for the disposition of any earnings of the corporation; to provide that upon dissolution of such corporations all funds held by them and title to their properties shall vest in the municipalities with respect to which they are organized; to provide for the filing of the certificates of incorporation, deeds to such corporations, and their mortgages and certificates of dissolution without the payment of any taxes; and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 71, Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 69, Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 548. To amend Section 154 of Title 8 of the Code of Alabama 1940 pertaining to licenses for use of seines, trawls and other devices for catching salt water shrimp.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Langan, the Senate concurred in and adopted the following House amendment to the bill, S. B. 548, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SENATE BILL 548

Amend S. B. 548 by striking the word "eighteen" in the fourth to last line of Section 1 and substituting the word "sixteen" in lieu thereof, and by striking the words "seventy-five" in the next to last line of Section 1 thereof and substituting the word "fifty" in lieu thereof.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Coleman	Hardwick	Owens
Allen	Fite	Kimbrell	Patterson
Boutwell	Gaither	Lamberth	Patton
Burnside	Glover	Langan	Perry
Cater	Gulledge	Mize	Wright

—19

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from his Excellency, the Governor, with his objections and amendment to the bill:

H. 1023. To amend Chapter 9, Title 15 of the Code of Alabama of 1940 relating to Bail, as amended by Act No. 199 July 8, 1949, by defining the power and authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or Bail Bonds, by the failure of the defendant to appear as required, in all counties in this State having a population of Seventy-two Thousand (72,000) inhabitants, or more, according to the last or any subsequent Federal census; and to authorize the courts in such counties to remit, in whole or in part, the penalty of such Bail Bonds as the ends of justice may, unto the court, appear to require.

And the House has refused to concur in and adopted said Governor's amendment to the bill, House Bill No. 1023.

And the House has reconsidered said House Bill No. 1023 and said bill was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 59, Nays 3.

And said bill, together with the Governor's message containing his objections to said bill, is sent herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Boutwell the Senate reconsidered the bill, H. B. 1023, the title of which is set out in the foregoing Message

from the House. And said bill was again read at length and passed, the Governor's objections to the contrary notwithstanding.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Glover	Hughes	Patton	
Allen	Golson	Kimbrell	Perry	
Boutwell	Gulledge	Lamberth	Quarles	
Burnside	Hardwick	Langan	Russell	
Cater	Henderson	Lowe	Summerlin	
Coleman	Hooton	Mize	Swift	
Fite	Howl	Patterson	Wright	
Gaither				—28

Nays:

—0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 652. Creating the office of County Engineer for Winston County, Alabama; prescribing his qualifications, term of office and salary.

Also:

S. 647. To alter and rearrange the corporate limits of the City of Birmingham so as to include therein parts of the territory located in Sections 11 and 12 of Township 17, Range 3, West, in Jefferson County.

Also:

S. 655. To provide that in any judicial circuit now or hereafter composed of one county having more than five circuit judges, in addition to the salary which now or hereafter may be paid to the register of such county, he shall also be paid the additional sum of three hundred dollars (\$300) per annum.

Also:

S. 541. To amend Section 380 of Title 13 of the Code of Alabama (1940), which relates to the appointment of clerks in juvenile courts.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 657. To make an additional appropriation to the Division of Control and Accounts of the State Department of Finance for the fiscal years ending September 30, 1950 and September 30, 1951.

Also:

S. 394. To amend Section 172 of Title 55 of the Code of Alabama (1940), which relates to the compensation of the Governor.

Also:

S. 514. To amend Section 3 of Act No. 492, H. 778, approved September 30, 1947, (General Acts of Alabama, 1947, p. 338), entitled, "An Act relating to and regulating contracts for public works; and to repeal Chapter 1, Title 50, of the Code of Alabama, 1940, Sections 1 to 15, inclusive."

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 592. To amend Section 94, Title 51, Code of Alabama, as amended which relates to the term of service and compensation for members of the county board of equalization, and to provide for a chairman.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the bill, to-wit:

Amend Section 1 of H. B. 592 by striking therefrom the figures "1944" where they appear together in said Section and by substituting the figures "1948" in lieu thereof.

Mr. Allen offered the following substitute for the bill, and pending Committee amendment, to-wit:

SUBSTITUTE FOR H. B. 592

A BILL TO BE ENTITLED AN ACT

To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of service and compensation of members of the several county boards of equalization.

Be It Enacted by the Legislature of Alabama:

Section 94 of Title 51 of the Code of Alabama (1940), as amended, is further amended and shall read as follows:

"Section 94. Term of service and compensation of members of the board.—(A) The annual term of service and compensation of members of the several county boards of equalization shall be on a basis of total assessed value of all taxable property, using the year 1948 as the basis, to be determined as follows: (1) In those counties in which the total assessed value of all taxable property exceeds three hundred million dollars (\$300,000,000), according to the tax assessor's abstract of assessments for said year, the members of the county board of equalization shall serve

on a full-time basis and shall be paid at the rate of fifty-seven hundred dollars (\$5700) per annum for the chairman, and fifty-four hundred dollars (\$5400) per annum for each associate member payable in monthly installments; (2) In those counties in which the total assessed value of all taxable property is not less than one hundred million dollars (\$100,000,000) and does not exceed three hundred million dollars (\$300,000,000), according to the tax assessor's abstract of assessments for said year the members of the county board of equalization shall serve for not more than six months, the exact working period to be fixed or approved by the department of revenue, and shall be paid at the rate of two hundred and fifty dollars (\$250) for each month; and said board shall be allowed annual traveling expenses, to be approved by the department of revenue, not to exceed the sum of two hundred fifty dollars (\$250) for any tax year. (3) In those counties in which the total assessed value of all taxable property is not less than seventy million dollars (\$70,000,000) and does not exceed one hundred million dollars (\$100,000,000) according to the tax assessor's abstract of assessments for said year, the members of the board of equalization shall serve on a full-time basis and shall be paid at the rate of three thousand dollars (\$3,000) each per annum, payable in monthly installments of two hundred fifty dollars (\$250) for each month; and said board shall be allowed annual traveling expenses, to be approved by the department of revenue, not to exceed the sum of two hundred fifty dollars (\$250) for any tax year. (4) In those counties in which the total assessed value of all taxable property is not less than forty million dollars (\$40,000,000) and does not exceed seventy million dollars (\$70,000,000), according to the tax assessor's abstract of assessments for said year, the members of the county board of equalization shall serve for not more than six (6) months, the exact working period to be fixed or approved by the department of revenue, and shall be paid at the rate of two hundred and fifty dollars (\$250) for each month; and said board shall be allowed annual traveling expenses, to be approved by the department of revenue, not to exceed the sum of two hundred fifty dollars (\$250) for any tax year. (5) In those counties in which the total assessed value of all taxable property is not less than twenty-five million dollars (\$25,000,000) and does not exceed forty million dollars (\$40,000,000), according to the tax assessor's abstract of assessments for said year, the members of the county board of equalization shall serve not more than eighty (80) working days, the exact working period to be fixed or approved by the department of revenue, and shall be paid at the rate of ten dollars (\$10.00) each per diem, payable in monthly installments; and said board shall be allowed annual traveling expenses, to be approved by the department of revenue, not to exceed the sum of two hundred dollars (\$200). (6) In those counties in which the total assessed value of all taxable property is under twenty-five million dollars (\$25,-

000,000), according to the tax assessor's abstract of assessments for said year, the members of the county board of equalization shall serve for not more than sixty (60) working days, the exact working period to be fixed or approved by the department of revenue, and shall be paid at the rate of ten dollars (\$10.00) each per diem, payable in monthly installments; and said board shall be allowed annual traveling expenses, to be approved by the department of revenue, not to exceed the sum of one hundred fifty dollars (\$150).

"(B) The expenses hereinabove authorized shall be paid in the same manner and proportion as the salaries of the members of the boards of equalization of the several counties of the state, in monthly installments, upon itemized statements approved by the state department of revenue.

"(C) Members of county boards of equalization, county tax assessors, employees of the department of revenue, including the commissioner thereof, called as witnesses in any appeal by any taxpayer from the rulings of the board of equalization or department of revenue on an assessment shall not claim witness fees from any court, but such service shall be incidental to and a part of the duties of his office.

"(D) The commissioner of the state department of revenue with the approval of the governor shall on the first day of each January designate one member of each of the boards of equalization of the several counties of the state to act as chairman, and such chairman shall be the executive officer of the board and shall supervise the assignment of duties to members and employees.

"(E) If any member of any county board of equalization refuses or fails to devote his entire time for the period employed to the performance of the duties of his office, the commissioner of the department of revenue shall approve payment of compensation for only such time as such member devotes to the performance of his official duties."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 22; Nays 5.

Yeas:

Messrs.:	Coleman	Henderson	Lowe
Allen	Fite	Howle	Mize
Boutwell	Glover	Hughes	Owens
Burnside	Golson	Kendall	Summerlin
Cater	Gulledge	Lamberth	Swift
Clayton	Hardwick	Langan	

Nays:

Messrs.:	Patterson	Perry	Quarles	
Hooton	Patton			—5

And said bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 5.

Yeas:

Messrs.:	Coleman	Henderson	Langan	
Allen	Fite	Howle	Lowe	
Barrett	Glover	Hughes	Mize	
Boutwell	Golson	Kendall	Owens	
Burnside	Gulledge	Kimbrell	Summerlin	
Cater	Hardwick	Lamberth	Swift	
Clayton				—24

Nays:

Messrs.:	Patterson	Perry	Quarles	
Hooton	Patton			—5

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 986, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives

State Capitol

Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 986, with a suggested executive amendment.

Respectfully submitted,

O. H. Finney, Jr.,
O. H. FINNEY, JR.,
Executive Secretary.

September 9, 1949.

To the House of Representatives

State Capitol

Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, House Bill No. 986, with a suggested executive amendment.

Amend said bill by striking from the first sentence of Section 1 thereof the words and figures "forty-two hundred dollars (\$4200)" and substituting therefor "five thousand dollars (\$5000)".

The suggested executive amendment is made with the full knowledge and approval of the authority of said bill, and if adopted will remove my objection to the bill.

Respectfully,

James E. Folsom,
JAMES E. FOLSOM,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 986, by a vote of Yeas 69, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 986. Relating to Franklin County: To change the method of compensating the Probate Judge, placing him on a salary, and providing him a clerk hire allowance, office space, and equipment.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 61, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Fite the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. B. 986, the title of which is set out in the foregoing Message from the House.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Patton	
Allen	Gaither	Kimbrell	Perry	
Barrett	Henderson	Lamberth	Quarles	
Boutwell	Hooton	Langan	Russell	
Bridges	Howle	Patterson	Summerlin	
Burnside	Hughes			—21

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patterson	
Allen	Gaither	Kendall	Patton	
Barrett	Hardwick	Kimbrell	Perry	
Boutwell	Henderson	Lamberth	Quarles	
Bridges	Hooton	Langan	Summerlin	
Burnside	Howle			—21

Nays: —0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 232, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 232, with suggested executive amendments.

Respectfully submitted,

O. H. Finney, Jr.,
O. H. FINNEY, JR.,
Executive Secretary.

September 9, 1949.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, House Bill No. 232, without my approval and with suggested executive amendments.

Numerous statutes imposed upon the Governor the duty of enforcing the laws of the State. These statutes require the Governor to supplement local law enforcement where it is inadequate in certain cases. The very nature of these responsibilities make it necessary for the Governor to have a certain amount of discretion and authority to effectuate the responsibilities imposed upon him by law. House Bill No. 232 would prevent the Governor from discharging duties imposed upon him. I am, therefore, respectfully suggesting the following amendments to this bill.

Amend Section 246 by striking therefrom the words "the state general fund" and substituting therefor "law enforcement fund to be used and applied on the enforcement of state laws under the supervision and control of the Governor."

Amend Section 251 by striking therefrom wherever they may appear the words "general fund of the state" and substituting therefor the words "law enforcement fund to be used and applied on the enforcement of state laws under the supervision and control of the Governor."

The adoption of the suggested amendments would remove my objection to said bill.

Respectfully,

James E. Folsom,
JAMES E. FOLSOM,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 232, by a vote of Yeas 62, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 232. To amend Sections 246 and 251 of Title 29 of the Code of Alabama (1940), which relate to the distribution of the proceeds of sales of contraband property.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 58, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, proposing an amendment to the bill, H. B. 232, the title of which is set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MOTION IN WRITING

Mr. President:

In moving the indefinite postponement of H. B. 1113, a local bill affecting Choctaw County, one of the counties of the senatorial district I have the honor to represent, which bill provides for the levy of a tax of two cents per package on each package of cigarettes sold in Choctaw County, said tax to be effective only in the event a majority of the qualified electors voting in an election held for that purpose vote in favor of the same, I do so for the reason that said bill is unconstitutional, as violative of Section 212 of the Constitution of Alabama 1901 under the authority of the decision of the Supreme Court of Alabama in the case of Donoghue v. Bunkley, 247 Ala. 423, 25 So. 2d 61. Since the bill is unconstitutional, it would be a useless and futile thing to put Choctaw County to the expense of holding an election on the same.

I respectfully request that this statement be spread upon the journal of the Senate.

BEN N. GLOVER.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Glover, further consideration of the bill, H. B. 1113, was indefinitely postponed by the Senate.

FURTHER CONSIDERATION OF H. B. 294

The Senate proceeded to further consideration of the bill, H. B. 294, and pending substitute offered by Mr. Langan, and the substitute offered by Mr. Langan was then lost.

Yeas 8; Nays 25.

Yeas:

Messrs.:
Barrett
Fite

Gaither
Howle

Kimbrell
Lamberth

Langan
Mize

Nays:

Messrs.:	Coleman	Hughes	Perry
Allen	Glover	Kendall	Quarles
Boutwell	Golson	Lowe	Russell
Bridges	Gulledge	Owens	Summerlin
Burnside	Hardwick	Patterson	Swift
Cater	Henderson	Patton	Wright
Clayton	Hooton		

—25

BILLS ON THIRD READING RESUMED

The Bill:

H. 1124. Relating to Russell County: To provide compensation for the Coroner of Russell County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Kendall	Mize
Allen	Gulledge	Kimbrell	Owens
Barrett	Hardwick	Lamberth	Patterson
Boutwell	Harvey	Langan	Patton
Bridges	Henderson	Lowe	Summerlin
Burnside	Hooton		

—21

Nays:

—0

The Bill:

H. 1115. To define, regulate and license barbers and barber colleges, and other like businesses in Colbert County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Patton
Allen	Gaither	Kimbrell	Perry
Barrett	Gulledge	Lamberth	Quarles
Boutwell	Hardwick	Langan	Russell
Bridges	Howle	Patterson	Summerlin
Burnside	Hughes		

—21

Nays:

—0

The Bill:

H. 1123. To apply in all counties having a population of 400,000 or more according to the last or any succeeding Federal census and to provide for and fix the minimum age at which children shall be entitled to attend the public schools therein.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Coleman	Kendall	Patton	
Allen	Gulledge	Kimbrell	Perry	
Barrett	Hardwick	Lamberth	Quarles	
Boutwell	Henderson	Langan	Russell	
Bridges	Howle	Patterson	Summerlin	
Burnside	Hughes			—21

Nays: —0

The Bill:

H. 835. To amend an Act entitled:—"An Act to authorized the Board of Revenue of Escambia County, Ala. to allow and pay the necessary, actual, reasonable, and monthly expenses of the members of said Board in the performance of their public and official duties as members of said Board for the amount agreed on by said Board of (\$65.00) Sixty Five Dollars per month for each member and not less than said amount until the further orders of said Board."

was taken up.

The Standing Committee on Local Legislation reported the following substitute for the bill, to-wit:

SUBSTITUTE FOR HOUSE BILL 835

A BILL TO BE ENTITLED AN ACT

To authorize the Board of Revenue of Escambia County Ala. to allow and pay the necessary, actual, reasonable, and monthly expenses of the Members of said Board in the performance of their Public and Official Duties as Members of said Board for the amount agreed on by said Board, of (\$65.00) Sixty-Five Dollars per month for each member and not less than said amount until the further orders of said Board.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Escambia County, Alabama, is hereby authorized to allow and pay to each member of said Board, for his necessary, actual, reasonable, and monthly expenses incurred in the performance of his public and official duties, the sum of three hundred dollars (\$300) per annum, which allowance shall be paid in equal monthly installments out of the county treasury.

Section 2. That on account of the now prevailing high cost of Automobiles, their maintenance and repairs and the high cost

of Motor fuel, gasoline, and lubricating oil, all of which is now used and required by law to be used, by said Members in the performance of their said Official Duties, but at their own private cost and expenses, under the law governing said Board, and on account of the present high cost of everything now prevailing:— on account of the large, extensive and heavy State and County-Road Program agreed on by said County for the present and near future for the construction, maintenance, acquirement of right way, and repairs of State Roads and Farm to Market paved roads, for the present and near future and their increase hereafter; there being now under construction six of such road paving projects in said County which average a distance of about (15) fifteen miles each from the residences of the Members of said Board, and also for the maintenance and repairs of all County Roads and Bridges heretofore constructed and those now being planned for construction, and the purchase of labor and material under said Program. That all of the same must be done under the personal, direction, control and supervision of said Board and its Members. Said Board being responsible for the Construction, maintenance and repairs of all County Public Roads and Bridges throughout the County as now required by law governing said Board. That the foregoing are some of the reasons for the allowance of said expenses.

Section 3. The Board of Revenue may hereafter reduce the allowance provided for herein if, as, and when the general economic conditions shall be adjusted and become normal; and the Board may, if conditions warrant it, refuse to allow the same. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law; it shall remain in effect for two years from and after September 16, 1949.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Lamberth	Quarles
Allen	Hardwick	Langan	Russell
Barrett	Henderson	Patterson	Summerlin
Boutwell	Hooton	Patton	Swift
Bridges	Kendall	Perry	Wright
Burnside	Kimbrell		

—21

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Henderson	Langan	Quarles	
Boutwell	Howle	Lowe	Russell	
Burnside	Hughes	Patterson	Summerlin	
Coleman	Kendall	Patton	Swift	
Glover	Kimbrell	Perry	Wright	
Hardwick	Lamberth			—21

Nays: —0

The Bill:

H. 976. To amend Section 176 of Title 41 of the 1940 Code of Alabama. (Relating to filling of vacancies in State and County offices).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hardwick	Lamberth	Quarles	
Boutwell	Henderson	Langan	Russell	
Bridges	Howle	Patterson	Summerlin	
Burnside	Hughes	Patton	Swift	
Coleman	Kendall	Perry	Wright	
Gulledge	Kimbrell			—21

Nays: —0

The Bill:

H. 808. To amend Title 10, Section 70 (7) of the Alabama Code of 1940 relating to directors' and stockholders' meetings of corporations within and without the State; authorizing and prescribing the condition upon which such meetings may be held; and requiring corporations holding such meetings without the State to designate an agent within the State, and for service upon him, and to file with such designated agent copies of the proceedings of such meetings held without the State.

Was read a third time at length and passed.

Yeas 25; Nays 1.

Yeas:

Messrs.:	Fite	Kendall	Patterson	
Allen	Hardwick	Lamberth	Patton	
Barrett	Harvey	Langan	Perry	
Boutwell	Henderson	Lowe	Quarles	
Bridges	Hooton	Mize	Summerlin	
Burnside	Howle	Owens	Swift	
Cater	Hughes			—25

Nay: Mr. Clayton —1

The Bill:

H. 1131. Making an additional appropriation to the Department of Examiners of Public Accounts for each of the fiscal years 1949-50 and 1950-51.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Henderson	Mize	
Allen	Fite	Hooton	Patterson	
Barrett	Gaither	Howle	Patton	
Boutwell	Glover	Hughes	Perry	
Burnside	Gulledge	Kendall	Quarles	
Cater	Hardwick	Lamberth	Russell	
Clayton	Harvey	Langan		—26

Nays:

—0

The Bill:

H. 268. To amend Sections 317, 318, 320, 321, 322, 323, 325, and 327 of Title 28, 1940 Code of Alabama, relating to the State Insurance Fund.

Was read a third time at length and passed.

Yeas 20; Nays 4.

Yeas:

Messrs.:	Cater	Henderson	Patton	
Allen	Gaither	Kendall	Perry	
Barrett	Gulledge	Lamberth	Quarles	
Boutwell	Hardwick	Langan	Russell	
Bridges	Harvey	Mize	Summerlin	
Burnside				—20

Nays:

Messrs.:	Coleman	Hooton	Hughes	
Clayton				—4

The Bill:

H. 658. To amend Section 4 of Act No. 154 adopted at the 1947 Regular Session of the Legislature, entitled "An Act to authorize and empower water works boards now or hereafter existing under the provisions of Alabama Code of 1940, Title 37, sections 394 to 402, to have and exercise the same powers, functions, and duties, rights and privileges with respect to gas plants and systems as they now have with respect to water works plants and systems; to authorize water works boards to acquire by purchase, construction or condemnation gas plants and systems; to authorize the issuance of revenue bonds to finance such gas plants and systems; to authorize municipal corporations to transfer and convey municipally owned

gas plants and systems to such water works boards; and to authorize such water works boards to combine any water works plant and system owned by it with a gas plant and system owned by it; to prescribe the conditions under which such water works boards may engage in the business of furnishing gas for industrial, domestic, or other consumption in a territory in which there is in existence at the time a plant or distribution system, or any part thereof furnishing such service; and to provide a method by which such water works boards may acquire such existing facilities at a price to be agreed upon by the parties or fixed by the Alabama public service commission; to provide for a hearing of such matters by the commission; and to provide for appeals from orders, judgments and decrees entered therein; and to authorize the change in name of any water works board," and approved on July 22, 1947.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize	
Allen	Fite	Howle	Owens	
Barrett	Gaither	Hughes	Patton	
Boutwell	Gulledge	Kendall	Perry	
Burnside	Hardwick	Lamberth	Quarles	
Cater	Harvey	Langan	Swift	
Clayton	Henderson	Lowe		—26

Nays:

—0

The Bill:

H. 659. To amend Sections 394, 395, 398, 399, 400 and 402 of Title 37 of the Code of Alabama; to provide for and authorize the incorporation for any municipality in the state of a corporation having the same powers, functions and duties with respect to both a water works plant and system and a sanitary sewer system that a corporation organized under Sections 394 to 402 of said Title 37 now has with respect to a water works plant and system; to authorize any corporation heretofore or hereafter organized under said sections (either as they have heretofore existed or as herein amended), with the approval of the municipality which has authorized its incorporation, to amend its certificate of incorporation so as to provide for the operation of a sanitary sewer system or a water works plant and system in addition to the system for operation of which it was originally organized and to change its corporate name accordingly; to provide for the sale of water, and the furnishing of sewer services and other services from the system or systems of such corporation; to authorize the sale at wholesale of all or any part of the water supply of such corporation to any municipality or to any other corporation organized

under said sections; to authorize and provide for such corporation to borrow money and issue interest bearing bonds payable solely from the revenues of both its water works plant and system and its sanitary sewer system, or either of them, to pledge such revenues for payment of such bonds, and to mortgage, pledge or otherwise convey any such system the revenues from which are so pledged; to provide for the manner of execution of the bonds of such corporation; to provide that the property and income of such corporation, its bonds, the income therefrom and any instrument executed as security for its bonds shall be exempt from taxation in the State of Alabama; to provide in certain events for the vesting of title to such corporation's water works plant and system and sanitary sewer system, or either of them, in the municipality which authorized the incorporation of such corporation and for the dissolution of such corporation; to authorize the conveyance of a water works plant and system and a sanitary sewer system, or either of said systems, to such corporation by the municipality which authorized its incorporation without an election of the qualified voters of such municipality and to authorize such municipality to enter into any agreements with such corporation necessary or appropriate to effectuate such transfer.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fite	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Gulledge	Kimbrell	Quarles
Bridges	Hardwick	Lamberth	Russell
Burnside	Harvey	Langan	Summerlin
Cater	Henderson	Mize	Swift
Clayton	Hooton	Owens	Wright
Coleman			

—32

Nays:

—0

The Bill:

H. 44. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Was read a third time at length and passed.

Yeas 30; Nay 1.

Yeas:

Messrs.:	Burnside	Glover	Henderson
Allen	Cater	Golson	Hooton
Barrett	Clayton	Gulledge	Howle
Boutwell	Fite	Hardwick	Hughes
Bridges	Gaither	Harvey	Kendall

Lamberth	Patterson	Quarles	Swift	
Lowe	Patton	Russell	Wright	
Mize	Perry	Summerlin		—30
Nay:	Mr. Coleman			—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. B. 592. To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of service and compensation of members of the several county boards of equalization.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolution with the original Senate Joint Resolution and finds same correctly enrolled, to-wit:

S. J. R. 103. Relative to; Congress is hereby urged to enact legislation looking to the establishment of a National Day emphasizing the importance of agriculture, to be known as "Farmers Day."

R. G. KENDALL, JR.,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 269. To authorize and empower the State Treasurer to accept, in the name of and for the State of Alabama, any grant from the Federal government or any appropriation made by the Congress of the United States or any allocation of Federal Funds appropriated by the Congress of the United States to the State of Alabama for the purpose of assisting the State in financing a minimum foundation education program of public elementary and secondary schools, and in reducing inequalities of educational opportunities through public elementary and secondary schools, for the general welfare and for other purposes; to provide that, State Board of Education shall represent the State in the administration of such funds, appropriations or allocations, and to empower the State Treas-

urer and the State Board of Education to meet the terms imposed on such grants, appropriations or allocations provided these terms and conditions are not in conflict with the Constitution of Alabama.

Also:

S. 46. To provide for auditing and re-classifying positions in the civil service of the State; authorizing the State Personnel Board and State Personnel Director to employ expert assistance and making an appropriation for that purpose.

Also:

S. 267. To amend Section 24, Title 42 of the 1940 Code of Alabama.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 318. To repeal Act 710, approved October 9, 1947; to provide for the transfer to the Employees' Retirement System all of the cash and securities held in the State Highway Patrol Retirement Fund; to provide for the transfer of members of the State Highway Patrol Retirement System to membership in the Employees' Retirement System as Patrolmen of the Division of Highway Patrol; and to make an appropriation to discharge the administrative expense incurred by the State Highway Patrol Retirement Board during the period from January 1, 1948, to September 30, 1949.

Also:

S. 394. To amend Section 172 of Title 55 of the Code of Alabama (1940), which relates to the compensation of the Governor.

Also:

S. 514. To amend Section 3 of Act No. 492, H. 778, approved September 30, 1947, (General Acts of Alabama, 1947, p. 338), entitled, "An Act Relating to and regulating contracts for public works; and to repeal Chapter 1, Title 50, of the Code of Alabama, 1940, Sections 1 to 15, inclusive."

Also:

S. 541. To amend Section 380 of Title 13 of the Code of Alabama (1940), which relates to the appointment of clerks in juvenile courts.

Also:

S. 647. To alter and rearrange the corporate limits of the City of Birmingham so as to include therein parts of the territory located in Sections 11 and 12 of Township 17, Range 3, West, in Jefferson County.

Also:

S. 652. Creating the office of County Engineer for Winston County, Alabama; prescribing his qualifications, term of office and salary.

Also:

S. 655. To provide that in any judicial circuit now or hereafter composed of one county having more than five circuit judges, in addition to the salary which now or hereafter may be paid to the register of such county, he shall also be paid the additional sum of three hundred dollars (\$300) per annum.

Also:

S. 657. To make an additional appropriation to the Division of Control and Accounts of the State Department of Finance for the fiscal years ending September 30, 1950 and September 30, 1951.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 835. To authorize the Board of Revenue of Escambia County Ala. to allow and pay the necessary, actual, reasonable, and monthly expenses of the Members of said Board in the performance of their Public and Official Duties as Members of said Board for the amount agreed on by said Board, of (\$65.00) Sixty-Five Dollars per month for each member and not less than said amount until the further orders of said Board.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 651. To make an additional appropriation to the Department of Health of Alabama for each of the fiscal years 1949-50 and 1950-51.

Also:

S. 658. To make an additional appropriation to the Legislative Reference Service of Alabama for each of the fiscal years 1949-50 and 1950-51.

Also:

S. 432. To appropriate the sum of Twenty Thousand (\$20,000.00) Dollars annually for each of the fiscal years 1950 and 1951 for the purpose of carrying out the provisions of Act No. 523, approved September 30, 1947, as amended, creating and establishing a Water Improvement Advisory Commission.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 246. Providing for and requiring instruction in the public schools concerning the influence and effect of alcohol on human health and behavior; creating the position of Supervisor of Temperance Education in the State Department of Education with assistants and clerical help, defining his duties and powers related to such instruction; fixing the salary of the Supervisor, and allocating funds therefor; and requiring reports by county and city superintendents of education concerning such instruction.

Also:

S. 247. "To provide for the creation and maintenance of a State educational research service with duties and powers to carry out the development and dissemination of facts and materials concerning the influence and effects of alcohol on human health and behavior and on social and economic conditions and to provide for the use of the appropriations made by the legislature for temperance education for the purpose of carrying out the provisions of this Act."

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 653. To make an additional appropriation to the Division of Service of the State Department of Finance for the fiscal years ending September 30, 1950 and September 30, 1951.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1067. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Also:

H. 1116. To amend Section 1 of Act No. 137, H. B. 520, approved June 16, 1945, entitled "An Act To allow the President of the County Board of Education of Marengo County pay for not more than fifteen days in any one year and to allow the other members of the Marengo Board of Education pay for not more than twelve days in any one year, payable from the General School Funds of Marengo County, Alabama" (Local Acts of Alabama, 1945, page 79).

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 264. To prescribe a procedure and fix the responsibility for maintaining control of the State's personal property and fixing a penalty for neglect of any duty imposed by this Act.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Larkins:

H. J. R. 174. Be It Resolved by the House of Representatives of Ala-

bama, the Senate concurring that H. B. 255, which has passed both Houses be known as the Miller-Larkins Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The rules were suspended and the resolution, H. J. R. 174, set out in the foregoing Message from the House, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Merrill:

H. J. R. 175. Be It Resolved by the House, the Senate concurring, that H. B. No. 808 be named the Merrill-Patton Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mize, the rules were suspended and the resolution, H. J. R. 175, set out in the foregoing Message from the House, was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 873. To propose and to provide for the submission of an amendment to the constitution of Alabama, which will be applicable to all counties except Mobile and Jefferson Counties, making further provisions respecting the use of the proceeds of special county taxes hereafter or heretofore voted for hospital purposes pursuant to any amendment to the constitution heretofore adopted, and authorizing the issuance by such counties and by public corporations therein of securities which shall not constitute bonds within the meaning of Section 222 of the constitution or debts within the meaning of Section 224 of the constitution.

Was read a third time at length as required by the Constitution and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:
Allen
Barrett
Boutwell

Bridges
Burnside
Cater
Clayton

Coleman
Fite
Hardwick
Henderson

Hooton
Howle
Hughes
Kendall

Kimbrell	Patterson	Quarles	Summerlin	
Lamberth	Perry	Russell	Wright	
Langan				—24
<i>Nays:</i>				—0

The Bill:

H. 290. To provide for educational benefits to children and widows of deceased veterans of World War II; to provide for educational benefits for the children, wives and veterans of World War II who are suffering from a 40% or more service-connected disability; and to provide for correspondence and extension courses for veterans of World War II.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Coleman	Howle	Mize	
Allen	Fite	Hughes	Patterson	
Barrett	Golson	Kendall	Patton	
Boutwell	Hardwick	Kimbrell	Perry	
Bridges	Harvey	Lamberth	Quarles	
Burnside	Henderson	Langan	Summerlin	
Cater	Hooton	Lowe	Swift	
Clayton				—28

Nays: —0

The Bill:

H. 913. To provide legal counsel for the Chief Examiner and Department of Public Accounts.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Clayton	Hughes	Patton	
Allen	Coleman	Kendall	Perry	
Barrett	Fite	Kimbrell	Quarles	
Boutwell	Hardwick	Lamberth	Summerlin	
Bridges	Henderson	Langan	Swift	
Burnside	Hooton	Mize	Wright	
Cater	Howle	Patterson		—26

Nays: —0

The Bill:

H. 647. To amend Section 4 of Title 12 of the 1940 Code of Alabama.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Clayton	Howle	Patterson
Allen	Coleman	Hughes	Perry
Barrett	Fite	Kendall	Quarles
Boutwell	Hardwick	Kimbrell	Russell
Bridges	Harvey	Lamberth	Swift
Burnside	Henderson	Langan	Wright
Cater	Hooton	Mize	

—26

Nays:

—0

The Bill:

H. 741. To amend Section 3 of Title 54 of the Code of Alabama (1940), as amended, which relates to deputies of the sheriff.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize
Allen	Fite	Howle	Patterson
Barrett	Glover	Kendall	Perry
Boutwell	Golson	Kimbrell	Quarles
Bridges	Gulledge	Lamberth	Summerlin
Burnside	Hardwick	Langan	Swift
Cater	Henderson	Lowe	Wright
Clayton			

—28

Nays:

—0

The Bill:

H. 191. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize
Allen	Fite	Howle	Owens
Barrett	Glover	Hughes	Patterson
Boutwell	Golson	Kendall	Perry
Bridges	Gulledge	Kimbrell	Quarles
Burnside	Hardwick	Lamberth	Summerlin
Cater	Harvey	Langan	Wright
Clayton	Henderson		

—29

Nays:

—0

The Bill:

H. 972. To provide further for horticultural research: Making an appropriation to the Board of Trustees of Alabama Polytechnic Institute for the Chilton County Horticultural Area and the North Alabama Horticultural Area.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Clayton	Harvey	Lamberth	
Allen	Coleman	Henderson	Mize	
Barrett	Fite	Hooton	Patterson	
Boutwell	Glover	Howle	Perry	
Bridges	Golson	Hughes	Quarles	
Burnside	Gulledge	Kendall	Wright	
Cater	Hardwick	Kimbrell		—26

Nays:

—0

The Bill:

H. 1021. To provide for the designation of a hospital association or board heretofore or hereafter organized under the provisions of Act No. 211, General Acts of Alabama, approved July 7, 1945 (Acts of 1945, page 330) or under the provisions of Act No. 46 adopted by the 1949 Regular Session of the Legislature of Alabama approved June 2, 1949, as the agency of the county to acquire, construct, equip, operate and maintain public hospital facilities in any county in which a special county tax for public hospital purposes has heretofore or shall hereafter be authorized at an election held in the county pursuant to the provisions of any amendment to the Constitution; to provide for the payment of proceeds of the special county tax to such hospital association or board so designated; to confer authority upon such hospital association or board to anticipate the proceeds of any such special county tax required to be paid to it by the issuance of securities and to pledge for the payment of the principal and interest thereon, not exceeding 75% of the annual proceeds from said tax so paid to it; to authorize the pledge of all or any part of the revenues of such hospital association or board in payment of its securities and the mortgage of all or any part of the property, real or personal, or any interest therein of such hospital association or board as security for such payment; to provide for the sale of such securities and for the validation of said tax and of the agreements and pledge made for such securities; and to repeal Act No. 237 adopted by the 1949 Regular Session of the Legislature of Alabama and approved July 14, 1949.

was taken up.

Mr. Kimbrell offered the following amendment to the bill, to-wit:

AMENDMENT TO H. B. 1021

Amend the Title of the Bill by adding thereto the following:

"To validate elections heretofore held in any county pursuant to the provisions of any amendment to the Constitution for the

purpose of authorizing a special county tax for public hospital purposes”.

Amend the bill by adding thereto a new section designated Section 10-A and reading as follows:

“Section 10-A. All elections which have heretofore been held in any county pursuant to the provisions of any amendment to the constitution, for the purpose of authorizing a special county tax for public hospital purposes, which said elections resulted in a majority of the votes cast being in favor of the said tax and which said elections were irregular by reason of failure prior to the actual holding of the elections to give notice thereof in a newspaper or by reason of any other irregularity, be and the same are hereby ratified and confirmed and given effect in all respects as if all provisions of law relating to such elections had been duly and legally complied with, and the said tax may be levied and collected accordingly; provided that the provisions of this section shall not apply to elections which have been in express terms held and declared illegal by any board of revenue, court of county commissioners or other governing body of a county prior to the passage of this act”.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Clayton	Hooton	Lowe
Allen	Coleman	Howle	Mize
Barrett	Fite	Hughes	Patterson
Boutwell	Gulledge	Kendall	Quarles
Bridges	Hardwick	Kimbrell	Summerlin
Burnside	Harvey	Lamberth	Swift
Cater	Henderson	Langan	Wright

—27

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fite	Hughes	Patterson
Allen	Gulledge	Kendall	Perry
Barrett	Hardwick	Kimbrell	Quarles
Boutwell	Harvey	Lamberth	Summerlin
Burnside	Henderson	Langan	Swift
Cater	Hooton	Lowe	Wright
Coleman	Howle	Mize	

—26

Nays:

—0

Your Committee on Conference appointed on the disagreement on the House Amendment to Senate Bill 129 report as follows:

We recommend that the House recede from its amendment to Section 3 of the Bill and that the following be adopted as Section 3:

Section 3. Every person, except a person holding a driver's license issued under authority of Chapter 2 of Title 36 of the 1940 Code, before operating any motor-driven cycle upon a public highway in this State, shall register it with the director of public safety and procure an operator's license. Operators' licenses shall be issued under and be governed by the provisions of Chapter 2 Title 36 of the 1940 Code, except that such a license shall be issued to any person fourteen years of age and older if such a person can satisfy the director of public safety or an examining officer that he is competent to operate a motor-driven cycle with safety to persons and to property.

W. G. HARDWICK,
GEO. P. QUARLES,
JOHN E. GAITHER,
Committee on part of the
Senate.

LUTHER INGALLS,
Member Committee on part
of the House.

We dissent:

SHIRLEY,
JOHN W. INZER, JR.,
Members Committee on part of the House.

CONFERENCE REPORT

On motion of Mr. Hardwick, the Senate concurred in and adopted the foregoing report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 129. To regulate further the operation of motor-driven cycles on highways; providing for the licensing of operators and prescribing penalties for violations of the Act.

Yeas 26; Nays 4.

Yeas:

Messrs.:	Clayton	Howle	Patton
Allen	Fite	Kendall	Quarles
Barrett	Glover	Kimbrell	Russell
Boutwell	Gulledge	Lamberth	Summerlin
Bridges	Hardwick	Langan	Swift
Burnside	Henderson	Lowe	Wright
Cater	Hooton	Mize	

Nays:

Messrs.:	Hughes	Patterson	Perry	
Coleman				—4

And said bill, as thus amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 25; Nays 4.

Yeas:

Messrs.:	Clayton	Kendall	Patton	
Allen	Fite	Kimbrell	Quarles	
Barrett	Gulledge	Lamberth	Russell	
Boutwell	Harvey	Langan	Summerlin	
Bridges	Henderson	Lowe	Swift	
Burnside	Hooton	Mize	Wright	
Cater	Howle			—25

Nays:

Messrs.:	Hughes	Patterson	Perry	
Coleman				—4

FURTHER CONSIDERATION OF H. B. 294

Mr. Fite moved that the bill, H. B. 294, be re-referred to the Standing Committee on Judiciary, which motion was lost.

Yeas 7; Nays 22.

Yeas:

Messrs.:	Fite	Lamberth	Mize	
Barrett	Howle	Langan	Owens	—7

Nays:

Messrs.:	Clayton	Henderson	Quarles	
Allen	Coleman	Hughes	Russell	
Boutwell	Glover	Kendall	Summerlin	
Bridges	Golson	Lowe	Swift	
Burnside	Gulledge	Patterson	Wright	
Cater	Hardwick	Perry		—22

PAIR ANNOUNCED

Mr. Kimbrell announced that he was paired with Mr. Patton on this vote; that Mr. Patton, if present, would vote "nay" and he, Mr. Kimbrell, would vote "aye".

On motion of Mr. Allen the bill, H. B. 294, was ordered to its engrossment and third reading.

BILLS ON THIRD READING RESUMED

The Bill:

H. 810. To make it lawful for any party of whom a bond, undertaking, or other obligation is required, to agree with his

surety or sureties for the joint control of any deposit of moneys and assets for which the principal and his surety or sureties are or may be held responsible.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Clayton	Howle	Patterson
Allen	Coleman	Hughes	Perry
Barrett	Fite	Kendall	Quarles
Boutwell	Hardwick	Kimbrell	Summerlin
Bridges	Harvey	Lamberth	Swift
Burnside	Henderson	Langan	Wright
Cater	Hooton	Mize	

—26

Nays:

—0

The Bill:

H. 385. Relating to insurance: creating a Department of Insurance; defining its powers and duties; transferring to it the function of regulating insurance, the insurance business, insurance companies and their agents; transferring to it the Bureau of Insurance, the Bureau of Rates and the office of Fire Marshal in the Department of Commerce and transferring to it the present personnel, funds, equipment and supplies of such bureaus and office and repealing all laws in conflict therewith.

Was read a third time at length and passed.

Yeas 20; Nays 5.

Yeas:

Messrs.:	Clayton	Kendall	Patton
Allen	Coleman	Kimbrell	Quarles
Barrett	Glover	Lowe	Summerlin
Boutwell	Hardwick	Mize	Swift
Bridges	Hooton	Patterson	Wright
Cater			

—20

Nays:

Messrs.:	Howle	Lamberth	Perry
Fite	Hughes		

—5

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 1021. To provide for the designation of a hospital association or board heretofore or hereafter organized under the provisions of Act No. 211, General Acts of Alabama, approved July 7, 1945 (Acts of 1945, page 330) or under the provisions of Act No. 46 adopted by the 1949 Regular Session of the Legislature of Alabama approved June 2, 1949, as the agency of the county to acquire, construct, equip, operate and maintain public hospital facilities in any county in which a special county tax for

public hospital purposes has heretofore or shall hereafter be authorized at an election held in the county pursuant to the provisions of any amendment to the Constitution; to provide for the payment of proceeds of the special county tax to such hospital association or board so designated; to confer authority upon such hospital association or board to anticipate the proceeds of any such special county tax required to be paid to it by the issuance of securities and to pledge for the payment of the principal and interest thereon, not exceeding 75% of the annual proceeds from said tax so paid to it; to authorize the pledge of all or any part of the revenues of such hospital association or board in payment of its securities and the mortgage of all or any part of the property, real or personal, or any interest therein of such hospital association or board as security for such payment; to provide for the sale of such securities and for the validation of said tax and of the agreements and pledge made for such securities; and to repeal Act No. 237 adopted by the 1949 Regular Session of the Legislature of Alabama and approved July 14, 1949. To validate elections heretofore held in any county pursuant to the provisions of any amendment to the Constitution for the purpose of authorizing a special county tax for public hospital purposes".

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 129. To regulate further the operation of motor-driven cycles on highways; providing for the licensing of operators and prescribing penalties for violations of the Act.

And said bill, as amended by the report of the Committee of Conference, was again read at length and passed.

And said bill, together with the report of the Committee of Conference, is herewith returned to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 268. To amend Sections 317, 318, 320, 321, 322, 323, 325, and 327 of Title 28, 1940 Code of Alabama, relating to the State Insurance Fund.

Also:

H. 658. To amend Section 4 of Act No. 154 adopted at the 1947 Regular Session of the Legislature, entitled "An Act to authorize and empower water works boards now or hereafter existing under the provisions of Alabama Code of 1940, Title 37, sections 394 to 402, to have and exercise the same powers, functions, and duties, rights and privileges with respect to gas plants and systems as they now have with respect to water works plants and systems; to authorize water works boards to acquire by purchase, construction or condemnation gas plants and systems; to authorize the issuance of revenue bonds to finance such gas plants and systems; to authorize municipal corporations to transfer and convey municipally owned gas plants and systems to such water works boards; and to authorize such water works boards to combine any water works plant and

system owned by it with a gas plant and system owned by it; to prescribe the conditions under which such water works boards may engage in the business of furnishing gas for industrial, domestic, or other consumption in a territory in which there is in existence at the time a plant or distribution system, or any part thereof furnishing such service; and to provide a method by which such water works boards may acquire such existing facilities at a price to be agreed upon by the parties or fixed by the Alabama public service commission; to provide for a hearing of such matters by the commission; and to provide for appeals from orders, judgments and decrees entered therein; and to authorize the change in name of any water works board," and approved on July 22, 1947.

Also:

H. 659. To amend Sections 394, 395, 398, 399, 400 and 402 of Title 37 of the Code of Alabama; to provide for and authorize the incorporation for any municipality in the state of a corporation having the same powers, functions and duties with respect to both a water works plant and system and a sanitary sewer system that a corporation organized under Sections 394 to 402 of said Title 37 now has with respect to a water works plant and system; to authorize any corporation heretofore or hereafter organized under said sections (either as they have heretofore existed or as herein amended), with the approval of the municipality which has authorized its incorporation, to amend its certificate of incorporation so as to provide for the operation of a sanitary sewer system or a water works plant and system in addition to the system for operation of which it was originally organized and to change its corporate name accordingly; to provide for the sale of water, and the furnishing of sewer services and other services from the system or systems of such corporation; to authorize the sale at wholesale of all or any part of the water supply of such corporation to any municipality or to any other corporation organized under said sections; to authorize and provide for such corporation to borrow money and issue interest bearing bonds payable solely from the revenues of both its water works plant and system and its sanitary sewer system, or either of them, to pledge such revenues for payment of such bonds, and to mortgage, pledge or otherwise convey any such system the revenues from which are so pledged; to provide for the manner of execution of the bonds of such corporation; to provide that the property and income of such corporation, its bonds, the income therefrom and any instrument executed as security for its bonds shall be exempt from taxation in the State of Alabama; to provide in certain events for the vesting of title to such corporation's water works plant and system and sanitary sewer system, or either of them, in the municipality which authorized the incorporation of such corporation and for the dissolution of such corporation; to authorize the conveyance of a water works plant and system and a sanitary sewer system, or either of said systems, to such corporation by the municipality which authorized its incorporation without an election of the qualified voters of such municipality and to authorize such municipality to enter into any agreements with such corporation necessary or appropriate to effectuate such transfer.

Also:

H. 808. To amend Title 10, Section 70 (7) of the Alabama Code of 1940 relating to directors' and stockholders' meetings of corporations within and without the State; authorizing and prescribing the condition upon which such meetings may be held; and requiring corporations holding such meetings without the State to designate an agent within the State, and for service upon him, and to file with such designated agent copies of the proceedings of such meetings held without the State.

Also:

H. 835. To authorize the Board of Revenue of Escambia County, Ala. to allow and pay the necessary, actual, reasonable, and monthly expenses of the members of said Board in the performance of their Public and Official Duties as Members of said Board for the amount agreed on by said Board of (\$65.00) Sixty-Five Dollars per month for each member and not less than said amount until the further orders of said Board."

Also:

H. 976. To amend Section 176 of Title 41 of the 1940 Code of Alabama. (Relating to filling of vacancies in State and County offices).

Also:

H. 986. Relating to Franklin County: To change the method of compensating the Probate Judge, placing him on a salary, and providing him a clerk hire allowance, office space, and equipment.

Also:

H. 1115. To define, regulate and license barbers and barber colleges, and other like businesses in Colbert County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Also:

H. 1122. To alter and re-arrange the boundary lines of the City of Troy, Alabama, so as to include within the corporate limits of said City the territory described in Section 1 of this Act.

Also:

H. 1123. To apply in all counties having a population of 400,000 or more according to the last or any succeeding Federal census and to provide for and fix the minimum age at which children shall be entitled to attend the public schools therein.

Also:

H. 1124. Relating to Russell County: To provide compensation for the Coroner of Russell County.

Also:

H. 1131. Making an additional appropriation to the Department of Examiners of Public Accounts for each of the fiscal years 1949-50 and 1950-51.

Also:

H. J. R. 172. Relative to naming House Bill No. 784 the Brown, Clayton, Cater Bill.

Also:

H. J. R. 173. Relative to Senate Bill 160 being designated as the Henderson-Taylor (Autauga) bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a

two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

RESOLUTION

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 105. Be it resolved by the Senate, the House concurring, that House Bill No. 191 be known as the Lamberth, Sellers, Duffie Bill.

And on motion of Mr. Lamberth, the rules were suspended and the resolution adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 812. To amend Section 607 of Title 51 of the Code of Alabama (1940), which relates to the license on persons transferring freight.

Was read a third time at length and passed.

Yeas 26; Nay 1.

Yeas:

Messrs.:	Clayton	Hooton	Mize
Allen	Coleman	Howle	Patterson
Barrett	Gaither	Hughes	Perry
Boutwell	Glover	Kendall	Quarles
Bridges	Gulledge	Kimbrell	Summerlin
Burnside	Hardwick	Lamberth	Swift
Cater	Harvey	Langan	

—26

Nay: Mr. Patton

—1

The Bill:

H. 711. To amend Section 421 of Title 14, Code of Alabama 1940, as amended by an act entitled "An Act to amend Section 421 of Title 14 of the Code of Alabama for 1940," approved August 15, 1947.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cater	Gaither	Hooton
Allen	Clayton	Glover	Howle
Barrett	Coleman	Hardwick	Hughes
Boutwell	Fite	Harvey	Kendall

Kimbrell
Lamberth
Langan

Mize
Owens
Patterson

Patton
Perry
Quarles

Summerlin
Swift

—26

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 280. To provide for the construction and maintenance of a demonstration project in highway right-of-way maintenance for experimental purposes and to make an appropriation for that purpose.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 1015. Relating to counties with populations of not less than 46,250 nor more than 48,100 inhabitants: to provide additional clerks for the tax collector and the tax assessor of such counties.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 105. Naming House Bill # 191.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 651. To amend Section 7 of an Act entitled, "An Act to create the office of Land Agent and so forth", approved July 9, 1945.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the bill, to-wit:

SUBSTITUTE FOR HOUSE BILL 651

A BILL TO BE ENTITLED AN ACT

To amend Section 7 of Act No. 341, House Bill 26, approved July 9, 1945, entitled "An Act To provide for the Office of Land Agent within the Department of Conservation and to define the Departments powers and duties with respect to lands owned by the State of Alabama or any department or institution thereof; to provide that each State department or institution of the State of Alabama owning, controlling or managing any State or departmental lands shall file with the Department of Conservation a list of lands which it owns or in which any interest is claimed, to define the meaning of the terms "used Lands" and "unused land"; to provide that such list shall describe such lands by numbering or other adequate description and classify the same as "used land" or "unused land", the manner in which title to the lands was acquired, the character of title and the use for which such lands are chiefly valuable, and the use to which said lands is being put; to provide for the preservation of such list; to provide for the compilation of a record of the ownership of all lands held in trust by any institution or department of the State of Alabama; to provide for the mapping, surveying, cruising, developing, and disposal of lands; to provide for the filing of a copy of all instruments by which the State or any institution disposes of or acquires land; to provide for the recordation on county records of the State's ownership of lands; to provide for the disposition of any revenue from unused lands; to provide funds for administering this act."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 341, House Bill 26, approved July 9, 1945, which created the office of land agent within the Department of Conservation is amended to read:

"Section 7. It shall be the duty of the Department of Conservation as to all unused lands owned by the State of Alabama or any institution or Department thereof, to determine the best use to which said lands may be adapted; and, thereafter, at the request of the Department or institution having title to, or an interest in, are charged by law with the management of such lands, and with the approval of the Governor, the Director of Conservation then shall have authority to use such lands for the purpose for which they are suited, and said lands shall be under the exclusive jurisdiction, management and control of the Director of the Department of Conservation; provided, the lands donated to or purchased by the State to be used as the Fort Morgan Parkway from Fort Morgan to Gulf Shores, now a part of the Dixie Graves Highway, shall not be classified by the Department of Conservation as unused lands and the Department shall not, directly or indirectly, lease or sell said lands or any part thereof."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Clayton	Hughes	Perry
Allen	Coleman	Kendall	Quarles
Barrett	Fite	Kimbrell	Russell
Boutwell	Gulledge	Lamberth	Summerlin
Bridges	Hardwick	Langan	Swift
Burnside	Hooton	Owens	Wright
Cater	Howle	Patterson	

—26

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Coleman	Kendall	Perry
Allen	Fite	Kimbrell	Quarles
Barrett	Gulledge	Lamberth	Russell
Boutwell	Hardwick	Langan	Summerlin
Burnside	Harvey	Mize	Swift
Cater	Hooton	Owens	Wright
Clayton	Hughes	Patterson	

—26

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 587. To authorize any and every city which may now or hereafter have a population of two hundred thousand or more inhabitants according to the last or any succeeding federal census to establish from time to time one or more park assessment districts within, or partly within and partly without, the corporate limits thereof and to provide or improve or provide and improve a public park within the corporate limits of such city in any such park assessment district and to assess all or any part of the cost of providing or improving or providing and improving such public park against all parcels of privately owned land in the park assessment district in which such public park is situated and which have been increased in value by reason of the special benefits derived from the provision or improvement or provision and improvement of such public park; to fix the rank of such assessment liens in relation to other liens; to provide for the collection and enforcement of such liens; to provide for the financing of the cost of providing or improving or providing and improving such public park; and to provide the manner in which such assessments and liens may be used in aid of such financing.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell the Senate concurred in and adopted the following House amendment to the bill, S. B. 587, the title

of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SENATE BILL NO. 587

That Senate Bill No. 587 be amended by amending Sections 5, 7 and 35 thereof so that each of same shall be and read as follows:

Section 5. The governing body of such city shall meet at the time and place set by said ordinance for hearing or at a time and place to which said hearing may be adjourned. A hearing may be adjourned to the time and place of another regular meeting of the governing body or of an adjourned regular meeting thereof. At said hearing any person owning land in the proposed park assessment district may appear in person or by written petition or by attorney and either favor, or object to or protest against, establishment of the proposed park assessment district, the boundaries thereof, the inclusion therein of his land, the exclusion therefrom of lands which ought to be included therein, the location of the proposed park, the character of the proposed improvements, or any proposal of said ordinance. Said governing body shall take under advisement all matters presented at such hearing or adjourned hearing, and may at the meeting at which such matters are presented or at any subsequent regular meeting either confirm or rescind the ordinance, provided that the governing body shall have no power or jurisdiction to confirm said ordinance unless prior to the confirmation thereof there shall have been filed with the clerk and presented to the governing body a petition praying confirmation of said ordinance signed by the owners of a majority of the square footage of all of the land lying within the proposed park assessment district, and unless thereafter such petition as above provided in this section has been filed with the Clerk and at an election held in and for the proposed park improvement district as hereinafter provided a majority of the qualified electors voting in such election shall vote in favor of authorizing the governing body to confirm said ordinance. Land devoted to public use shall be excluded from computation provided for in the next preceding sentence. In any case in which a park assessment district proposed by any published ordinance comprises one or more entire election districts, and does not comprise less than all of any election district, then, and in such case, the governing body may order an election to be held in all the election districts comprised in said proposed park assessment district for the purpose of voting upon the question as to whether the governing body shall be authorized to confirm said ordinance. The laws governing general municipal elections in such city shall govern any election in such election districts. No such ordinance may be amended or modified after first publication, but must be either confirmed or rescinded. Any such ordinance which is not confirmed within six months from first publication thereof shall be deemed rescinded. Recission of an ordinance shall not deprive

the governing body of power to adopt and publish a new ordinance identical with or like or unlike the rescinded ordinance and to thus start anew. A finding or recital in the confirmation resolution of facts showing jurisdiction to confirm the ordinance shall be *prima facie* true. Any person owning land in the proposed park assessment district may institute suit in the appropriate court exercising equity jurisdiction within thirty days after passage of the confirmation resolution to enjoin further proceedings under such resolution and to set the same aside upon the ground that the finding or recital therein of jurisdictional facts is untrue, and if such suit be not filed within such time, the said finding or recital of said resolution shall be deemed conclusive.

Section 7. If such governing body shall cause the proposals of said ordinance to be executed or accomplished, then, after the same shall have been executed or accomplished, said governing body shall have power and authority to assess all or any part of the cost of executing or accomplishing said proposals upon or against the several parcels of land within said park assessment district which have been increased in value by reason of the special benefits derived from the execution or accomplishment of said proposals, provided, however, that the total cost assessed against the total numbers of parcels shall not exceed the total estimated cost set forth in said ordinance, and provided further that the amount assessed against any parcel shall not exceed the increased value thereof by reason of the special benefits derived from the execution or accomplishment of said proposals, and provided that no assessment shall exceed the sum of one half of one cent for each square foot of the lands lying in said proposed park assessment district that are subject to such assessment. The governing body may pay out of the general funds of such city, or out of any special fund which may be provided for the purpose, such portion of the cost of the local improvement as it may see proper. The cost of any local improvement contemplated by this act shall include, among other things, the expense of the preliminary and other surveys, and the inspection and superintendence of the work, and the printing and publishing of the notices and ordinances required, including notice of assessment, and the cost of acquisitions and constructions and purchasing and installing such equipment as set out in the proposals and interest on money used in accomplishment of proposals, and any other expenses incident to accomplishment of proposals.

Section 35. The municipality, in ordering any local improvement the cost of which, or any part thereof, is to be assessed against any property in accordance with the provisions of this act, may provide that the same shall be paid in cash within thirty days after the final assessment, provided the cost of such improvement to be assessed against any one lot or parcel of property does not exceed fifteen dollars, but if the total cost of said improvement to be assessed against a single lot or parcel of property is greater

than such sum, any property owner may, at his election, to be expressed by notifying the city official charged with the duty of collecting such assessments in writing within thirty days after the assessment is made final, pay the said assessment in ten equal installments, which shall bear interest at not exceeding six per cent per annum, payable annually.

Any person may pay the whole assessment against any lot or parcel of land within thirty days from the time the assessment is made; and may at any installment period pay the assessment in full by paying the full amount of the installments, together with all accrued interest thereon, and upon the payment of an additional sum equal to six months' interest at six per cent per annum on the amount of said assessment so paid before maturity as a penalty; should the property owner desire to pay off the deferred installments between the dates on which they are due, he shall pay interest on the same until the succeeding installment period, together with the penalty above described. The first installment shall be payable within thirty days after the assessment is made final, and all assessments or installments thereof shall be payable at the office of the clerk, tax collector, or treasurer of the city, as may be prescribed, and all assessments or installments thereof shall bear interest at not exceeding six per cent per annum after the expiration of thirty days from the date on which the same is made final, which interest shall be due and payable at the time and place the assessment or installment is due and payable. In all cases where the property owner does not elect to pay in installments, or having elected to pay in installments, fails to pay the first installment in thirty days from the date of assessment, he shall be held to have waived the right to pay in installments, and the entire assessment shall at the expiration of said thirty days become due and payable.

And further:

Amend Section one by adding the following sentence at the end of this Section one: "The term 'public park' as used herein shall include public recreation and play ground facilities and equipment for children and youth."

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Kimbrell	Quarles
Allen	Hardwick	Lamberth	Russell
Barrett	Harvey	Patterson	Summerlin
Boutwell	Henderson	Patton	Swift
Bridges	Hooton	Perry	Wright
Burnside	Kendall		

—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Merrill:

House Joint Resolution No. 180. Be It Resolved by the House, the Senate concurring, that H. B. # 873 be named the Beck, Merrill, Kimbrell and Kendall Bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The rules were suspended and the resolution, H. J. R. 180, set out in the foregoing Message from the House, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolutions:

By Mr. Dumas:

House Joint Resolution 177. Be It Resolved By the House the Senate concurring that H. B. 647 which has passed both Houses be designated and known as the Dumas-Mize Bill.

Also:

By Mr. Brannan:

House Joint Resolution 178. Be it resolved by the House of Representatives, the Senate concurring, that House Bill # 385 which has passed both Houses be known as the Brannan-Hooton Bill.

Also:

By Mr. Pinson:

House Joint Resolution No. 176. WHEREAS the special joint committee of the two Houses established in pursuance of Act No. 9, H. J. R. 16, approved June 17, 1947, has completed its work and made the report required of it; therefore, be it Resolved by the House, the Senate Concurring, that said special joint committee be discharged.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hooton the Rules were suspended, and the Resolution, H. J. R. 177, set out in the foregoing Message from the House was adopted by the Senate.

On motion of Mr. Cater the Rules were suspended and the Resolution, H. J. R. 178, set out in the foregoing Message from the House was adopted by the Senate.

On motion of Mr. Swift the Rules were suspended and the

Resolution, H. J. R. 176, set out in the foregoing Message from the House, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 44. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Also:

H. 592. To amend Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of service and compensation of members of the several county boards of equalization.

H. 1023. To amend Chapter 9, Title 15 of the Code of Alabama of 1940 relating to Bail, as amended by Act No. 199 July 8, 1949, by defining the power and authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or Bail Bonds, by the failure of the defendant to appear as required, in all counties in this State having a population of Seventy-Two Thousand (72,000) inhabitants, or more, according to the last or any subsequent Federal census; and to authorize the courts in such counties to remit, in whole or in part, the penalty of such Bail Bonds as the ends of justice may, unto the court, appear to require.

Also:

H. J. R. 174. Relative to H. B. 255 being known as the Miller-Larkins Bill.

Also:

H. J. R. 175. Relative to H. B. # 808 being named the Merrill-Patton Bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

REPORT FROM RULES COMMITTEE

Mr. Swift, chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolutions and ordered same returned to the Senate with a favorable report, with substitute, to-wit:

H. J. R. 151. Relative to national convention and encampment of American Legion and Veterans of Foreign Wars.

The Rules Committee reported the following substitute for the resolution, to-wit:

SUBSTITUTE BY THE SENATE RULES COMMITTEE FOR
H. J. R. 151

WHEREAS, the American Legion and the Veterans of Foreign Wars are the two leading veterans organizations in the State of Alabama, and,

WHEREAS, these two organizations represent approximately sixty thousand veterans in the State of Alabama from World War I and II, and,

WHEREAS, each year the American Legion and the Veterans of Foreign Wars have National Encampments respectively in two of the countries leading cities and at such encampments or conventions large delegations of their members gather from every state in the Union, D. C., Hawaii, Alaska, Puerto Rica, the Philippine Islands and most of the cities in this great country of ours, and,

WHEREAS, at each encampment or convention of these two great organizations there is a very large parade in which the delegates from all the states and territories, as well as many others participate, such parade being the climax of such encampment or convention, and,

WHEREAS, many thousands of people come from far and wide to witness such parades, and,

WHEREAS, the various states in the Union take advantage of same to try and make as impressive a showing as possible for such state, many sending bands, floats, highway patrol units, etc. in order to advertise such state among the delegates and visitors from other states, and

WHEREAS, it is felt that this is an excellent medium through which to advertise the State of Alabama and its vast resources and opportunities at a minimum of cost, and,

WHEREAS, in 1950 each will have their respective encampments or conventions in August at places to be so designated by such encampment or conventions in meeting assembled this year.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by both Houses of the Legislature of Alabama duly assembled, with the concurrence of the Governor of the State of Alabama, that at the respective encampment or convention of each organization mentioned above, viz, the American Legion and the Veterans of Foreign Wars, in 1950, that the State Highway Patrol send one patrol car and two motorcycles to the encampments or conventions of each such organizations, and that the Governor of the State of Alabama be respectively requested to order such Highway Patrol cars and motorcycles to attend such encampments or conventions since both will be beyond the borders of the State and such order by him is necessary or required by law, and,

BE IT FURTHER RESOLVED by both Houses of the Legisla-

ture duly assembled, with the concurrence of the Governor of the State of Alabama, that in 1950 a band or drum and bugle corps also sent to each of the above mentioned encampments or conventions, depicting the resources or beauty, etc. of the State of Alabama, and to be designed and sent to such encampments or conventions of such organizations by the State Planning Commission of the State of Alabama, or any other commission or department of the State of Alabama having money available for such purpose, since ample time will be had before the encampment or convention in 1950 to adequately construct the same, and paid for by such commission or department.

Which was adopted.

And the said resolution as thus amended was adopted.

RESOLUTIONS

Mr. Henderson offered the following Senate joint resolution, to-wit:

S. J. R. 106. BE IT RESOLVED by the Senate of Ala. the House of Representatives concurring that Senate Bill 463, which has passed both Houses, be known and designated as the Henderson-Givhan Bill.

Which was adopted.

Mr. Henderson also offered the following Senate joint resolution, to-wit:

S. J. R. 107. BE IT RESOLVED by the Senate, the House of Representatives concurring, that Senate Bill 280, which has passed both Houses, be known and designated as the Henderson-Givhan bill.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 191. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Also:

H. 290. To provide for educational benefits to children and widows of deceased veterans of World War II; to provide for educational benefits for the children, wives and veterans of World War II who are suffering from a 40% or more service-connected disability; and to provide for correspondence and extension courses for veterans of World War II.

Also:

H. 385. Relating to insurance: creating a Department of Insurance; defining its powers and duties; transferring to it the function of regulat-

ing insurance, the insurance business, insurance companies and their agents; transferring to it the Bureau of Insurance, the Bureau of Rates and the office of Fire Marshal in the Department of Commerce and transferring to it the present personnel, funds, equipment and supplies of such bureaus and office and repealing all laws in conflict therewith.

Also:

H. 647. To amend Section 4 of Title 12 of the 1940 Code of Alabama.

Also:

H. 741. To amend Section 3 of Title 54 of the Code of Alabama (1940), as amended, which relates to deputies of the sheriff.

Also:

H. 810. To make it lawful for any party of whom a bond, undertaking, or other obligation is required, to agree with his surety or sureties for the joint control of any deposit of moneys and assets for which the principal and his surety or sureties are or may be held responsible.

Also:

H. 873. To propose and to provide for the submission of an amendment to the constitution of Alabama, which will be applicable to all counties except Mobile and Jefferson Counties, making further provisions respecting the use of the proceeds of special county taxes hereafter or heretofore voted for hospital purposes pursuant to any amendment to the constitution heretofore adopted, and authorizing the issuance by such counties and by public corporations therein of securities which shall not constitute bonds within the meaning of Section 222 of the constitution or debts within the meaning of Section 224 of the constitution.

Also:

H. 913. To provide legal counsel for the Chief Examiner and Department of Public Accounts.

Also:

H. 972. To provide further for horticultural research: Making an appropriation to the Board of Trustees of Alabama Polytechnic Institute for the Chilton County Horticultural Area and the North Alabama Horticultural Area.

Also:

H. 1015. Relating to counties with populations of not less than 46,250 nor more than 48,100 inhabitants: to provide additional clerks for the tax collector and the tax assessor of such counties.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions.

S. J. R. 106. Naming Senate Bill 463.

Also:

S. J. R. 107. Naming Senate Bill 280.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 907. To amend Sections 647, 648, 649 and 660 of Title 51 of the 1940 Code of Alabama, which relate to the excise tax on gasoline.

was taken up.

Mr. Swift offered the following amendment to the bill, to-wit:

Amend House Bill No. 907 by amending Section 1, Sub-section (c), Sub-head (1), to read as follows:

"(1) The revenue arising from the sale of gasoline, as herein defined for aviation fuel, shall be used exclusively for the purpose of paying the cost of acquiring, engineering, construction, improvement and maintenance of existing or proposed airports and other air navigation facilities within the State, for the payment of the salary of the State Director of Aeronautics, the salaries of other employees of the Alabama Department of Aeronautics, and for the payment of other administrative and aeronautical expenses of the Alabama Department of Aeronautics and for the further purpose of creating a sinking fund for the payment of the interest and retirement of the principle of all bonds which may be hereafter lawfully issued, sold and delivered for funds to be used exclusively for the enumerated purposes. All gasoline or any substitute therefor, sold or delivered to any airport within the State for use as fuel to propel airplanes, is hereby classified as aviation fuel."

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cater	Glover	Henderson
Allen	Clayton	Gulledge	Hooton
Barrett	Coleman	Hardwick	Howle
Boutwell	Fite	Harvey	Hughes

Kendall	Mize	Patton	Summerlin	
Lamberth	Owens	Perry	Swift	
Lowe	Patterson	Quarles		—26
<i>Nays:</i>				—0

And said bill, as thus amended was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fite	Kendall	Patton	
Allen	Gulledge	Kimbrell	Perry	
Barrett	Harvey	Lamberth	Quarles	
Boutwell	Henderson	Langan	Summerlin	
Cater	Hooton	Mize	Swift	
Clayton	Howle	Patterson	Wright	
Coleman	Hughes			—25
<i>Nays:</i>				—0

The Bill:

H. 1099. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Warrior, in Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Golson	Mize	Quarles	
Allen	Gulledge	Owens	Russell	
Barrett	Hughes	Patterson	Summerlin	
Boutwell	Kendall	Patton	Swift	
Bridges	Kimbrell	Perry	Wright	
Burnside	Lamberth			—21
<i>Nays:</i>				—0

The Bill:

H. 902. To require additional duties of the Clerk of the Circuit Court of Mobile County, Alabama, by requiring said Clerk to keep a separate docket in his office available to public inspection at any and all times the said Clerk's office is open for business, in which said Clerk shall enter the number and style of each case appealed to the Supreme Court or Court of Appeals, the date of Judgment, the date of the appeal, the date the transcript on appeal is delivered to the Appellant's Attorney, and the date and ruling of the Supreme Court or Court of Appeals in each such appeal; to make a list with the number and style of each case in which a motion or demurrer is filed, for use on the day the said motions and demurrers are set for hearing; and, to make monthly settings or lists of all cases which are at issue and which are set

for trial, containing the number and style of the case, the name of the attorneys, and the date for which set, and to furnish copy of such monthly settings or lists to the attorneys, and further to provide for additional compensation for such additional duties of said Clerk.

was taken up.

Mr. Langan offered the following amendment to the bill, to-wit:

Amend H. B. 902 by striking the words and figures "One Hundred and no/100 (\$100.00) Dollars per month" where the same appear therein and substituting in lieu thereof the words and figures "Fifty and no/100 (\$50.00) Dollars per month".

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Henderson	Lamberth	Quarles	
Boutwell	Hooton	Langan	Russell	
Bridges	Howle	Patterson	Summerlin	
Burnside	Hughes	Patton	Swift	
Gulledge	Kendall	Perry	Wright	
Hardwick	Kimbrell			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Henderson	Langan	Quarles	
Boutwell	Howle	Lowe	Russell	
Bridges	Hughes	Patterson	Summerlin	
Burnside	Kendall	Patton	Swift	
Gulledge	Kimbrell	Perry	Wright	
Hardwick	Lamberth			—21

Nays: —0

The Bill:

H. 905. To make it the duty of the Register of the Circuit Court of Mobile County, Alabama, in addition to his other duties, to keep a docket in which must be entered the number and the name of all cases appealed to the Supreme Court of Alabama, the date of the Appeal and date transcript for Supreme Court delivered to Appellant's Attorney; to make a list with the name and number of each case in which a motion is made for an interlocutory order, for use on the day the Motions are set for hearing; to make monthly settings of all cases that are at issue and make lists thereof con-

taining the number and name of the case and the date for which set and furnish copies of list to the Attorneys, and to provide extra compensation for such new and additional duties.

was taken up.

Mr. Langan offered the following amendment to the bill, to-wit:

Amend House Bill 905 by striking the words "twelve hundred dollars per annum" wherever the same appear therein and substituting in lieu thereof the words "six hundred dollars per annum".

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Lamberth	Quarles	
Boutwell	Hardwick	Langan	Russell	
Bridges	Henderson	Patterson	Summerlin	
Burnside	Howle	Patton	Swift	
Coleman	Kendall	Perry	Wright	
Gaither	Kimbrell			—21

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hughes	Mize	Quarles	
Boutwell	Kendall	Owens	Russell	
Fite	Kimbrell	Patterson	Summerlin	
Gaither	Lamberth	Patton	Swift	
Hardwick	Langan	Perry	Wright	
Howle	Lowe			—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 711. To amend Section 421 of Title 14, Code of Alabama 1940, as amended by an act entitled "An Act to amend Section 421 of Title 14 of the Code of Alabama for 1940," approved August 15, 1947.

H. 812. To amend Section 607 of Title 51 of the Code of Alabama (1940), which relates to the license on persons transferring freight.

H. 1021. To provide for the designation of a hospital association or board heretofore or hereafter organized under the provisions of Act No. 211, General Acts of Alabama, approved July 7, 1945 (Acts of 1945, page 330) or under the provisions of Act No. 46 adopted by the 1949 Regular

Session of the Legislature of Alabama approved June 2, 1949, as the agency of the county to acquire, construct, equip, operate and maintain public hospital facilities in any county in which a special county tax for public hospital purposes has heretofore or shall hereafter be authorized at an election held in the county pursuant to the provisions of any amendment to the Constitution; to provide for the payment of proceeds of the special county tax to such hospital association or board so designated; to confer authority upon such hospital association or board to anticipate the proceeds of any such special county tax required to be paid to it by the issuance of securities and to pledge for the payment of the principal and interest thereon, not exceeding 75% of the annual proceeds from said tax so paid to it; to authorize the pledge of all or any part of the revenues of such hospital association or board in payment of its securities and the mortgage of all or any part of the property, real or personal, or any interest therein of such hospital association or board as security for such payment; to provide for the sale of such securities and for the validation of said tax and of the agreements and pledge made for such securities; and to repeal Act No. 237 adopted by the 1949 Regular Session of the Legislature of Alabama and approved July 14, 1949. To validate elections heretofore held in any county pursuant to the provisions of any amendment to the Constitution for the purpose of authorizing a special county tax for public hospital purposes.

H. J. R. 176. Relative to the special joint committee of the two Houses, having completed its work and made the required report, being discharged.

Also:

H. J. R. 177. Relative to H. B. 647 being designated and known as the Dumas-Mize Bill.

Also:

H. J. R. 178. Relative to House Bill # 385 being known as the Brannan-Hooton Bill.

Also:

H. J. R. 180. Relative to H. B. # 873 being named the Beck, Merrill, Kimbrell and Kendall Bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 518. To authorize the incorporation with respect to the several municipalities in this state of nonprofit public corporations for the purpose of promoting industry, developing trade, and furthering the use of agricultural and natural resources; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporations; to authorize such corporations to issue bonds payable solely from the revenues and receipts derived from any such properties and to secure such bonds by pledges of such revenues and receipts and by mortgages on such properties; to authorize the refunding of any such bonds; to provide that all bonds of such corporations shall be negotiable instruments; to provide for remedies in the event of default in such bonds; to exempt from taxation such corporations and their properties and income, and their bonds and the income therefrom; to provide that such municipalities shall not be liable for any obligations or agreements of such corporations; to provide for the disposition of any earnings of the corporation; to provide that upon dissolution of such corporations all funds held by them and title to their properties shall vest in the municipalities with respect to which they are organized; to provide for the filing of the certificates of incorporation, deeds to such corporations, and their mortgages and certificates of dissolution without the payment of any taxes; and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

Also:

S. 548. To amend Section 154 of Title 8 of the Code of Alabama 1940 pertaining to licenses for use of seines, trawls and other devices for catching salt water shrimp.

Also:

S. 246. Providing for and requiring instruction in the public schools concerning the influence and effect of alcohol on human health and behavior; creating the position of Supervisor of Temperance Education in the State Department of Education with assistants and clerical help, defining his duties and powers related to such instruction; fixing the salary of the Supervisor, and allocating funds therefor; and requiring reports by county and city superintendents of education concerning such instruction.

Also:

S. 247. "To provide for the creation and maintenance of a State educational research service with duties and powers to carry out the development and dissemination of facts and materials concerning the influence and effects of alcohol on human health and behavior and on social and economic conditions and to provide for the use of the appropriations made by the legislature

for temperance education for the purpose of carrying out the provisions of this Act."

Also:

S. 432. To appropriate the sum of Twenty Thousand (\$20,000.00) Dollars annually for each of the fiscal years 1950 and 1951 for the purpose of carrying out the provisions of Act No. 523, approved September 30, 1947, as amended, creating and establishing a Water Improvement Advisory Commission.

Also:

S. 651. To make an additional appropriation to the Department of Health of Alabama for each of the fiscal years 1949-50 and 1950-51.

Also:

S. 658. To make an additional appropriation to the Legislative Reference Service of Alabama for each of the fiscal years 1949-50 and 1950-51.

Also:

S. 46. To provide for auditing and re-classifying positions in the civil service of the State; authorizing the State Personnel Board and State Personnel Director to employ expert assistance and making an appropriation for that purpose.

Also:

S. 267. To amend Section 24, Title 42 of the 1940 Code of Alabama.

Also:

S. 653. To make an additional appropriation to the Division of Service of the State Department of Finance for the fiscal years ending September 30, 1950 and September 30, 1951.

Also:

S. 269. To authorize and empower the State Treasurer to accept, in the name of and for the State of Alabama, any grant from the Federal government or any appropriation made by the Congress of the United States or any allocation of Federal Funds appropriated by the Congress of the United States to the State of Alabama for the purpose of assisting the State in financing a minimum foundation education program of public elementary and secondary schools, and in reducing inequalities of educational opportunities through public elementary and secondary schools, for the general welfare and for other purposes; to provide that, State Board of Education shall represent the State in the administration of such funds, appropriations or allocations, and to em-

power the State Treasurer and the State Board of Education to meet the terms imposed on such grants, appropriations or allocations provided these terms and conditions are not in conflict with the Constitution of Alabama.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTION

Mr. Russell offered the following Senate Joint Resolution, to-wit:

S. J. R. 108. BE IT RESOLVED by the Senate, the House concurring, that House Joint Resolution 151 be named the Wallace, Pinkston, Crocker, Patton bill.

And on motion of Mr. Russell, the rules were suspended and the resolution adopted by the Senate.

At 6:10 P. M. Mr. Harvey moved that the Senate take a recess until 7:10 P. M. tonight, which motion was lost.

Yeas 8; Nays 18.

Yeas:

Messrs.:	Harvey	Lamberth	Mize	
Barrett	Kimbrell	Langan	Patterson	
Fite				—8

Nays:

Messrs.:	Glover	Hughes	Quarles	
Allen	Golson	Kendall	Russell	
Cater	Gulledge	Lowe	Swift	
Clayton	Hardwick	Patton	Wright	
Coleman	Henderson	Perry		—18

Mr. Harvey then moved that further consideration of the bill, H. B. 294, and pending substitute, be postponed until 10:00 P. M. tonight, and on motion of Mr. Lowe said motion was laid on the table.

Yeas 21; Nays 8.

Yeas:

Messrs.:	Golson	Kendall	Quarles
Allen	Gulledge	Lowe	Russell
Boutwell	Hardwick	Patterson	Summerlin
Clayton	Henderson	Patton	Swift
Coleman	Hooton	Perry	Wright
Glover	Hughes		

—21

Nays:

Messrs.:	Harvey	Kimbrell	Langan
Barrett	Howle	Lamberth	Mize
Fite			

—8

BILLS ON THIRD READING RESUMED**The Bill:**

H. 355. To amend Section 789 of Title 51, Article 11, Chapter 20, Code of Alabama 1940, as Amended by Act No. 475, Approved July 10, 1943, (1943 General Acts of Alabama, Page 439); and as Further Amended by Act No. 304, Approved August 13, 1947, (1947 General Acts of Alabama, Page 158).

was taken up.

The Standing Committee on Judiciary offered the following amendment to the bill, to-wit:

Senate Judiciary Committee Amendment to House Bill 355

Amend Section 1 of House Bill 355 by striking therefrom subsection (d) and inserting in lieu thereof the following:

(d) Property stored, used or consumed by the State of Alabama, by the counties within the State, or by incorporated municipalities of the State of Alabama; and the storage, use or other consumption of athletic equipment for the sole use and benefit of, and under the control of, public state, county, or city schools within the State of Alabama, notwithstanding that the purchase of such athletic equipment is paid for from funds which are not public funds.

Amend Section 1 of H. B. 355 by adding the following at the end of subsection (1):

"Also leased transcriptions, used in production and broadcasting of programs by duly licensed sound and visual broadcasting stations,"

and by substituting a semi-colon for the period at the end of said sub-section.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize
Allen	Fite	Hughes	Patterson
Barrett	Glover	Kendall	Patton
Boutwell	Golson	Kimbrell	Perry
Bridges	Gulledge	Lamberth	Summerlin
Burnside	Hardwick	Langan	Swift
Cater	Harvey	Lowe	Wright
Clayton			

—28

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Patterson
Allen	Fite	Howle	Patton
Barrett	Glover	Kendall	Perry
Boutwell	Golson	Kimbrell	Russell
Bridges	Gulledge	Lamberth	Summerlin
Cater	Hardwick	Lowe	Swift
Clayton	Harvey	Mize	Wright

—27

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 907. To amend Section 647, 648, 649 and 660 of Title 51 of the 1940 Code of Alabama, which relate to the excise tax on gasoline.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in the Senate amendment to the Resolution:

H. J. R. 151. Relative to ordering Highway Patrol cars and motorcycles and band or drum and bugle corps to attend the American Legion and the Veterans of Foreign Wars convention in 1950.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 651. To amend Section 7 of Act No. 341, House Bill 26, approved July 9, 1945, entitled "An Act To provide for the Office of Land Agent within the Department of Conservation and to define the Departments powers and duties with respect to lands owned by the State of Alabama

or any department or institution thereof; to provide that each State department or institution of the State of Alabama owning, controlling or managing any State or departmental lands shall file with the Department of Conservation a list of lands which it owns or in which any interest is claimed, to define the meaning of the terms "used Lands" and "unused land"; to provide that such list shall describe such lands by numbering or other adequate description and classify the same as "used land" or "unused land", the manner in which title to the lands was acquired, the character of title and the use for which such lands are chiefly valuable, and the use to which said lands is being put; to provide for the preservation of such list; to provide for the compilation of a record of the ownership of all lands held in trust by any institution or department of the State of Alabama; to provide for the mapping, surveying, cruising, developing, and disposal of lands; to provide for the filing of a copy of all instruments by which the State or any institution disposes of or acquires land; to provide for the recordation on county records of the State's ownership of lands; to provide for the disposition of any revenue from unused lands; to provide funds for administering this act."

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 591. For the relief of Mrs. Ruth Kersh: Appropriating the sum of one thousand dollars to Mrs. Ruth Kersh as compensation for the death of her husband who died as the result of injuries received during the course of his employment by the State Highway Department.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendments to the following bills:

H. 905. To make it the duty of the Register of the Circuit Court of Mobile County, Alabama, in addition to his other duties, to keep a docket in which must be entered the number and the name of all cases appealed to the Supreme Court of Alabama, the date of the Appeal and date transcript for Supreme Court delivered to Appellant's Attorney; to make a list with the name and number of each case in which a motion is made for an interlocutory Order, for use on the day the Motions are set for hearing; to make monthly settings of all cases that are at issue and make lists thereof containing the number and name of the case and the date for which set and furnish copies of list to the Attorneys, and to provide extra compensation for such new and additional duties.

Also:

H. 902. To require additional duties of the Clerk of the Circuit Court of Mobile County, Alabama, by requiring said Clerk to keep a separate docket in his office available to public inspection at any and all times the said Clerk's office is open for business, in which said Clerk shall enter the number and style of each case appealed to the Supreme Court or Court of Appeals, the date of Judgment, the date of the appeal, the date the transcript on appeal is delivered to the Appellant's Attorney,

and the date and ruling of the Supreme Court or Court of Appeals in each such appeal; to make a list with the number and style of each case in which a motion or demurrer is filed, for use on the day the said motions and demurrers are set for hearing; and, to make monthly settings or lists of all cases which are at issue and which are set for trial, containing the number and style of the case, the name of the attorneys, and the date for which set, and to furnish copy of such monthly settings or lists to the attorneys, and further to provide for additional compensation for such additional duties of said Clerk.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 108. Naming House Joint Resolution 151.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Wallace:

H. J. R. 181. Be it resolved by the House, the Senate concurring that H. B. 290 be known as the Wallace, Clayton bill.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The rules were suspended and the resolution, H. J. R. 181, set out in the foregoing Message from the House, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 95. Amending Section 103 of Title 52, Code of Alabama (1940), which relates to qualifications of county superintendents of education.

And returns same herewith to the Senate.

R. T. GOODWYN, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 176. To amend Sections 7 and 14 of Act No. 96, H. 102, approved June 15, 1945, (General Acts of Alabama, 1945, page 92),

entitled "An Act To better provide for the public health, by providing for the regulation of schools of nursing, for the examination, regulation, and registration of nurses, to define the duties and powers of the Board for the examination and registration of nurses, and accrediting of schools of nursing and to prescribe penalties for violations of the provisions of this Act; and to repeal Chapter 10 of Title 46 of the Code of Alabama of 1940," which relates to the regulation of nursing.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize
Allen	Fite	Howle	Patterson
Barrett	Gaither	Hughes	Patton
Boutwell	Glover	Kimbrell	Quarles
Burnside	Gulledge	Lamberth	Russell
Cater	Hardwick	Langan	Swift
Clayton	Henderson	Lowe	Wright

—27

Nays:

—0

The Bill:

H. 417. To Amend Section 87 of Title 8 of the Code of Alabama of 1940.

was taken up.

The Standing Committee on Fish and Game reported the following substitute for the bill, to-wit:

Substitute for H. B. 417

A BILL
TO BE ENTITLED
AN ACT

To amend Section 87 of Title 8 of the Code of Alabama of 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 87 of Title 8 of the Code of Alabama 1940, be amended to read as follows:

"Section 87. PENALTY FOR HUNTING IN CLOSED SEASON.—Any person who hunts, takes, catches, captures, kills or attempts to hunt, take, catch, capture or kill any bird or animal protected by law or regulation of this state, except during the open season when same may be hunted, taken, caught, captured or killed, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$50.00 nor more than \$500.00, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months. Any person

convicted the second time of violating this section shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$100.00 nor more than \$500.00, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months. Any person convicted for violating this section the third or subsequent times shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$250.00 nor more than \$500.00, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months."

Section 2. All laws and parts of laws in conflict herewith are hereby expressly repealed.

Section 3. This Act shall become a law upon its passage and approval or its otherwise becoming a law.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize
Allen	Fite	Howle	Patterson
Barrett	Gaither	Hughes	Patton
Boutwell	Glover	Kendall	Perry
Bridges	Golson	Kimbrell	Quarles
Burnside	Gulledge	Lamberth	Summerlin
Cater	Hardwick	Langan	Swift
Clayton	Henderson	Lowe	Wright

—31

Nays: —0

And said bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 27; Nay 1.

Yeas:

Messrs.:	Coleman	Howle	Mize
Allen	Glover	Hughes	Patterson
Barrett	Golson	Kendall	Patton
Boutwell	Gulledge	Kimbrell	Perry
Burnside	Hardwick	Lamberth	Quarles
Cater	Henderson	Langan	Swift
Clayton	Hooton	Lowe	Wright

—27

Nay: Mr. Fite —1

The Bill:

H. 886. To amend Section 92 of Title 55 of the Code of Alabama of 1940, which relates to the duties of the Budget Officer.

Was read a third time at length and passed.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Gaither	Howle	Lowe	
Allen	Glover	Hughes	Mize	
Barrett	Golson	Kendall	Patterson	
Boutwell	Gulledge	Kimbrell	Patton	
Burnside	Hardwick	Lamberth	Quarles	
Cater	Harvey	Langan	Swift	
Coleman	Hooton			—25
Nay:	Mr. Fite			—1

The Bill

H. 423. To Amend Section 86 of Title 8 of the Code of Alabama of 1940.

was taken up.

The Standing Committee on Fish and Game reported the following substitute for the bill, to-wit:

Substitute for H. B. 423

A BILL
TO BE ENTITLED
AN ACT

To amend Section 86 of Title 8 of the Code of Alabama of 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 86 of Title 8 of the Code of Alabama of 1940 be amended so as to read as follows:

"Section 86. Any person who shall take, catch or kill or attempt to take, catch or kill any bird or animal protected by the laws of this state with or without a headlight or other artificial light or with or without a shotgun, rifle, air rifle, pistol, or revolver between sunset and daylight the following day shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars for each offense, the amount of such fine to be fixed, determined, and imposed by the judge of the court presiding at the trial of any case brought under the provisions of this section, and at the discretion of the court may also be imprisoned in the county jail for not longer than six months; provided that animals classed as fur bearers by the laws of this state or regulations based thereunder may be hunted, pursued, taken, captured, or killed between sunset and daylight the following day, but in no case shall such fur bearing animals be hunted, taken, caught, captured, or killed by means of or with any shotgun, rifle, air rifle, pistol, or revolver between sunset and daylight the following day, and any violation of the provisions of this section relating to fur bearing animals shall subject the person so violating to the penalty provided in this section. Provided, however, that nothing herein

contained shall prevent the hunting of animals commonly referred to as racoons and opossums with a light at nighttime."

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall take effect immediately upon the passage and approval of this Act, or its otherwise becoming a law.

Which was adopted.

Yeas 26; Nays 1.

Yeas:

Messrs.:	Glover	Howle	Mize
Barrett	Golson	Hughes	Patterson
Boutwell	Gulledge	Kendall	Patton
Burnside	Hardwick	Kimbrell	Perry
Cater	Harvey	Lamberth	Quarles
Coleman	Henderson	Langan	Swift
Gaither	Hooton	Lowe	

—26

Nay: Mr. Fite

—1

And said bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 27; Nays 2.

Yeas:

Messrs.:	Gaither	Howle	Mize
Allen	Glover	Hughes	Patterson
Barrett	Golson	Kendall	Patton
Boutwell	Gulledge	Kimbrell	Perry
Burnside	Hardwick	Lamberth	Quarles
Cater	Henderson	Langan	Swift
Coleman	Hooton	Lowe	Wright

—27

Nays: Messrs: Fite and Harvey.

—2

The Bill:

H. 1114. To amend Title 13, Section 253, Code of Alabama 1940, as amended by General Acts of the Legislature 1947, page 63, approved July 21, 1947.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Coleman	Hooton	Mize
Allen	Fite	Howle	Patterson
Barrett	Gaither	Hughes	Patton
Boutwell	Glover	Kendall	Perry
Burnside	Gulledge	Lamberth	Swift
Cater	Hardwick	Langan	Wright
Clayton	Harvey		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 907. To amend Sections 647, 648, 649 and 660 of Title 51 of the 1940 Code of Alabama, which relate to the excise tax on gasoline.

Also:

H. 1099. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Warrior, in Jefferson County, Alabama.

Also:

H. J. R. 151. Relative to furnishing 1 Patrol Car and 2 Motorcycles, a band or drum and bugle corps representing the State of Alabama at the National encampments or conventions of the American Legion and Veterans of Foreign Wars; and requesting the Governor to order same.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

APPEAL FROM RULING OF THE CHAIR

Mr. Allen raised the Point of Order that under the Ruling of the Chair on Rule 3 no Senator would be permitted to speak more than twice on the bill, H. B. 294 and all amendments thereto. And said Point of Order was sustained by the Chair.

Mr. Fite appealed from the Ruling of the Chair, and the Ruling of the Chair was sustained by the Senate.

Yeas 15; Nays 14.

Yeas:

Messrs.:	Cater	Henderson	Patton
Allen	Glover	Hughes	Perry
Boutwell	Golson	Kendall	Quarles
Bridges	Gulledge	Lowe	Wright

—15

Nays:

Messrs.:	Gaither	Kimbrell	Owens
Barrett	Hardwick	Lamberth	Patterson
Coleman	Harvey	Langan	Russell
Fite	Howle	Mize	

—14

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 355. To Amend Section 789 of Title 51, Article 11, Chapter 20, Code of Alabama 1940, as Amended by Act No. 475, Approved July 10, 1943, (1943 General Acts of Alabama, Page 439); and as Further Amended by Act No. 304, Approved August 13, 1947, (1947 General Acts of Alabama, Page 158).

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 651. To amend Section 7 of Act No. 341, House Bill 26, approved July 9, 1945, entitled "An Act To provide for the Office of Land Agent within the Department of Conservation and to define the Departments powers and duties with respect to lands owned by the State of Alabama or any department or institution thereof; to provide that each State department or institution of the State of Alabama owning, controlling or managing any State or departmental lands shall file with the Department of Conservation a list of lands which it owns or in which any interest is claimed, to define the meaning of the terms "used Lands" and "unused land"; to provide that such list shall describe such lands by numbering or other adequate description and classify the same as "used land" or "unused land", the manner in which title to the lands was acquired, the character of title and the use for which such lands are chiefly valuable, and the use to which said lands is being put; to provide for the preservation of such list; to provide for the compilation of a record of the ownership of all lands held in trust by any institution or department of the State of Alabama; to provide for the mapping, surveying, cruising, developing, and disposal of lands; to provide for the filing of a copy of all instruments by which the State or any institution disposes of or acquires land; to provide for the recordation on county records of the State's ownership of lands; to provide for the disposition of any revenue from unused lands; to provide funds for administering this act."

Also:

H. 902. To require additional duties of the Clerk of the Circuit Court of Mobile County, Alabama, by requiring said Clerk to keep a separate docket in his office available to public inspection at any and all times the said Clerk's office is open for business, in which said Clerk shall enter the number and style of each case appealed to the Supreme Court or Court of Appeals, the date of Judgment, the date of the appeal, the date the transcript on appeal is delivered to the Appellant's Attorney, and the date and ruling of the Supreme Court or Court of Appeals in each such appeal; to make a list with the number and style of each case in which a motion or demurrer is filed, for use on the day the said motions and demurrers are set for hearing; and, to make monthly settings or lists of all cases which are at issue and which are set for trial, containing the number and style of the case, the name of the attorneys, and the date for which set, and to furnish copy of such monthly settings or lists to the attorneys, and further to provide for additional compensation for such additional duties of said Clerk.

Also:

H. 905. To make it the duty of the Register of the Circuit Court of Mobile County, Alabama, in addition to his other duties, to keep a docket in which must be entered the number and the name of all cases appealed to the Supreme Court of Alabama, the date of the Appeal and date transcript for Supreme Court delivered to Appellant's Attorney; to make a list with the name and number of each case in which a motion is made for an interlocutory Order, for use on the day the Motions are set for hearing; to make monthly settings of all cases that are at issue and make lists thereof containing the number and name of the case and the date for which set and furnish copies of list to the Attorneys, and to provide extra compensation for such new and additional duties.

Also:

H. 355. To Amend Section 789 of Title 51, Article 11, Chapter 20, Code of Alabama 1940, as Amended by Act No. 475, Approved July 10, 1943, (1943 General Acts of Alabama, Page 439); and as Further Amended by Act No. 304, Approved August 13, 1947, (1947 General Acts of Alabama, Page 158).

Also:

H. J. R. 181. Relative to H. B. 290 being known as the Wallace, Clayton bill.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bill with the engrossed and original bill, respectively, and finds same correctly enrolled, to-wit:

S. 95. Amending Section 103 of Title 52, Code of Alabama (1940), which relates to qualifications of county superintendents of education.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which

is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolution with the original Senate Joint Resolution and finds same correctly enrolled, to-wit:

S. J. R. 108. Relative to; The naming of House Joint Resolution 151.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bill with the engrossed and original bill, respectively, and finds same correctly enrolled, to-wit:

S. 591. For the relief of Mrs. Ruth Kersh: Appropriating the sum of one thousand dollars to Mrs. Ruth Kersh as compensation for the death of her husband who died as the result of injuries received during the course of his employment by the State Highway Department.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 176. To amend Sections 7 and 14 of Act No. 96, H. 102, approved June 15, 1945, (General Acts of Alabama, 1945, page 92), entitled "An Act To better provide for the public health, by providing for the regulation of schools of nursing, for the examination, regulation, and registration of nurses, to define the duties and powers of the Board for the examination and registration of nurses, and accrediting of schools of nursing and to prescribe penalties for violations of the provisions of this Act; and to repeal Chapter 10 of Title 46 of the Code of Alabama of 1940, "which relates to the regulation of nursing.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 129. To regulate further the operation of motor-driven cycles on highways; providing for the licensing of operators and prescribing penalties for violations of the Act.

Also:

S. 280. To provide for the construction and maintenance of a demonstration project in highway right-of-way maintenance for experimental purposes and to make an appropriation for that purpose.

Also:

S. 587. To authorize any and every city which may now or hereafter have a population of two hundred thousand or more inhabitants according to the last or any succeeding federal census to establish from time to time one or more park assessment districts within, or partly within and partly without, the corporate limits thereof and to provide or improve or provide and improve a public park within the corporate limits of such city in any such park assessment district and to assess all or any part of the cost

of providing or improving or providing and improving such public park against all parcels of privately owned land in the park assessment district in which such public park is situated and which have been increased in value by reason of the special benefits derived from the provision or improvement or provision and improvement of such public park; to fix the rank of such assessment liens in relation to other liens; to provide for the collection and enforcement of such liens; to provide for the financing of the cost of providing or improving or providing and improving such public park; and to provide the manner in which such assessments and liens may be used in aid of such financing.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolutions with the original Senate Resolutions and finds same correctly enrolled, to-wit:

S. J. R. 105. Relative to; The naming of House Bill # 191.

Also:

S. J. R. 106. Relative to; The naming of Senate Bill 463.

Also:

S. J. R. 107. Relative to; The naming of Senate Bill 280.

R. G. KENDALL, JR.,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

STATE OF ALABAMA
DEPARTMENT OF EDUCATION
MONTGOMERY 4, ALABAMA

September 8, 1949

To the Senate
Alabama State Legislature
Montgomery, Alabama

In compliance with Article XIV, Section 264, of the Constitution of Alabama, I am certifying to the Senate of Alabama that the following person has been elected as a member of the University of Alabama Board of Trustees by the members of said Board, in the manner prescribed by the Constitution, since the last session of the Legislature:

Name	Address	District	Expiration of Term
William H. Mitchell,	Florence, Alabama,	Eighth,	To fill out the term expiring in 1951

Respectfully submitted,

A. R. MEADOWS,
State Superintendent of Education.

Sworn to and subscribed before me this 8th day of September, 1949.

FLORENCE McNABB,
Notary Public.

COMMUNICATION FROM STATE DEPARTMENT OF
EDUCATION

On motion of Mr. Patterson, the Senate confirmed Honorable William H. Mitchell, Florence, Alabama, as member of the Board of Trustees of the University of Alabama, which appointment is set out in the foregoing Communication from the State Department of Education.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fite	Hooton	Mize
Allen	Gaither	Howle	Owens
Barrett	Glover	Hughes	Patterson
Boutwell	Gulledge	Kendall	Patton
Burnside	Hardwick	Kimbrell	Perry
Cater	Harvey	Lamberth	Quarles
Clayton	Henderson	Langan	Swift
Coleman			

—28

Nays:

—0

REPORT FROM RULES COMMITTEE

Mr. Swift, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following bill with proposed executive amendment, which executive amendment is set out in Message from the Governor previously in today's Journal, with a favorable report, to-wit:

H. B. 232. To amend Sections 246 and 251 of Title 29 of the Code of Alabama (1940), which relate to the distribution of the proceeds of sales of contraband property.

Mr. Patton moved that the Senate concur in the amendment proposed by His Excellency, the Governor; to the bill, H. B. 232, Mr. Coleman moved to lay on the table the motion to concur and the motion to table was lost.

Yeas 14; Nays 15.

Yeas:

Messrs.:	Clayton	Harvey	Patterson	
Allen	Coleman	Henderson	Perry	
Barrett	Golson	Hughes	Swift	
Boutwell	Gulledge	Kimbrell		—14

Nays:

Messrs.:	Gaither	Kendall	Patton	
Burnside	Hardwick	Lamberth	Quarles	
Cater	Hooton	Langan	Russell	
Fite	Howle	Mize	Wright	—15

The question then recurred on the motion of Mr. Patton and the Senate did concur in and adopt the amendment proposed by His Excellency, the Governor, to the bill, H. B. 232.

Yeas 18; Nays 12.

Yeas:

Messrs.:	Gulledge	Kendall	Owens	
Burnside	Hardwick	Kimbrell	Patton	
Cater	Harvey	Lamberth	Quarles	
Fite	Hooton	Langan	Russell	
Gaither	Howle	Mize		—18

Nays:

Messrs.:	Clayton	Henderson	Perry	
Allen	Coleman	Hughes	Swift	
Barrett	Golson	Patterson	Wright	
Boutwell				—12

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 23; Nays 3.

Yeas:

Messrs.:	Clayton	Howle	Patterson
Allen	Gaither	Hughes	Patton
Barrett	Gulledge	Kendall	Perry
Boutwell	Hardwick	Lamberth	Quarles
Burnside	Harvey	Langan	Russell
Cater	Hooton	Mize	Wright

—23

Nays: Messrs. Coleman, Henderson, and Swift.

—3

Which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1082. To amend Section 2 of Act No. 175 of the Acts of the Legislature of Alabama of 1943, entitled, "An Act to further define and extend the powers, authorities and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Misdemeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act," approved June 17, 1943, as amended by Act No. 165, page 57, General Acts of the Legislature of 1947, entitled, "An Act to further define and extend the powers, authority and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Misdemeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act, approved July 21, 1947.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Burnside	Gaither	Hardwick
Allen	Cater	Glover	Harvey
Barrett	Coleman	Golson	Henderson
Boutwell	Fite	Gulledge	Hooton

Howle	Lamberth	Owens	Russell	
Hughes	Langan	Patterson	Swift	
Kendall	Lowe	Patton	Wright	
Kimbrell	Mize	Perry		—30
<i>Nays:</i>				—0

The Bill:

H. 1117. For the relief of Lura Blanche Ellard by authorizing, the Commission of the City of Birmingham, Alabama, to issue and the comptroller of said city to pay to her a warrant for Five Hundred Dollars (\$500.00) in payment for injuries and damages suffered and sustained by her on March 11, 1948, as the proximate consequence and result of the negligent operation or maintenance of a city fire truck which crashed into the building in which she was working at 3814 Clairmont Avenue in the City of Birmingham, and thereby injured the said Lura Blanche Ellard.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gulledge	Kendall	Patton	
Allen	Hardwick	Kimbrell	Perry	
Barrett	Harvey	Lamberth	Quarles	
Boutwell	Henderson	Langan	Russell	
Bridges	Howle	Patterson	Summerlin	
Burnside	Hughes			—21

Nays: —0

The Bill:

H. 315. To appropriate the sum of ten thousand dollars (\$10,000.00) for repairing and restoring Fort Morgan, located in Baldwin County.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Gaither	Hughes	Patterson	
Allen	Gulledge	Kendall	Patton	
Barrett	Hardwick	Lamberth	Perry	
Boutwell	Harvey	Langan	Quarles	
Burnside	Henderson	Lowe	Russell	
Cater	Hooton	Mize	Swift	
Clayton	Howle	Owens	Wright	
Coleman				—28

Nays: —0

The Bill:

H. 860. To amend Section 68 of Title 52 of the Code of Ala-

bama (1940), which relates to the compensation of the members of county boards of education.

Was read a third time at length and passed.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Coleman	Hooton	Lowe
Allen	Fite	Howle	Mize
Barrett	Glover	Hughes	Patterson
Boutwell	Gulledge	Kendall	Perry
Bridges	Hardwick	Kimbrell	Quarles
Burnside	Harvey	Lamberth	Swift
Cater	Henderson	Langan	Wright
Clayton			

—28

Nay: Mr. Patton. —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Snodgrass:

H. J. R. 182. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of six (6), three members of the House to be appointed by the Speaker of the House and three members of the Senate to be appointed by the Presiding Officer of the Senate, to wait upon the Governor and inform him that the Legislature now stands ready to adjourn sine die and awaits any further message that he might desire to transmit.

And the Speaker has named on the part of the House Messrs. Snodgrass, Mitchell and Weaver.

And sends same herewith to the Senate for its consideration.

R. T. GOODWYN, JR.,
Clerk.

HOUSE MESSAGE

The Rules were suspended and the resolution, H. J. R. 182, set out in the foregoing Message from the House, was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Swift, Glover, and Lamberth.

BILLS ON THIRD READING RESUMED

The Bill:

H. 306. To amend Section 1036 of Title 7 of the Code of Alabama (1940) relating to the requirement of assent of a state official garnished.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Clayton	Henderson	Mize
Allen	Coleman	Howle	Patterson
Barrett	Fite	Hughes	Patton
Boutwell	Gaither	Kendall	Perry
Bridges	Gulledge	Lamberth	Quarles
Burnside	Hardwick	Langan	Swift
Cater	Harvey	Lowe	Wright

—27

Nays:

—9

The Bill:

H. 307. To amend Section 1035 of Title 7 of the Code of Alabama (1940) relating to garnishment of salaries of public officials or employees.

Was read a third time at length and passed.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Fite	Hughes	Patterson
Allen	Gaither	Kendall	Quarles
Barrett	Gulledge	Kimbrell	Russell
Boutwell	Hardwick	Lamberth	Summerlin
Cater	Harvey	Langan	Swift
Clayton	Henderson	Mize	Wright
Coleman	Hooton		

—25

Nays: Messrs: Patton and Perry.

—2

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 423. To Amend Section 86 of Title 8 of the Code of Alabama of 1940.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 417. To Amend Section 87 of Title 8 of the Code of Alabama of 1940.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 417. To Amend Section 87 of Title 8 of the Code of Alabama of 1940.

Also:

H. 423. To Amend Section 86 of Title 8 of the Code of Alabama of 1940.

Also:

H. 886. To amend Section 92 of Title 55 of the Code of Alabama of 1940, which relates to the duties of the Budget Officer.

Also:

H. 1082. To amend Section 2 of Act No. 175 of the Acts of the Legislature of Alabama of 1943, entitled, "An Act to further define and extend the powers, authorities and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Misdemeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act," approved June 17, 1943, as amended by Act No. 165, page 57, General Acts of the Legislature of 1947, entitled, "An Act to further define and extend the powers, authority and duties of the Circuit Solicitor of the Tenth Judicial Circuit; to require the Circuit Solicitor of the Tenth Judicial Circuit to supervise the prosecution of all misdemeanors to be tried, and all felonies to be heard on preliminary trial in the Jefferson County Court of Misdemeanors; and to authorize the Circuit Solicitor to appoint a Deputy Circuit Solicitor who shall prosecute in the Jefferson County Court of Misdemeanors; and to fix his salary and provide for payment thereof; and to repeal all laws or parts of laws, local or general, in conflict with this Act, approved July 21, 1947.

Also:

H. 1114. To amend Title 13, Section 253, Code of Alabama 1940, as amended by General Acts of the Legislature 1947, page 63, approved July 21, 1947.

Also:

H. 1117. For the relief of Lura Blanche Ellard by authorizing, the Commission of the City of Birmingham, Alabama, to issue and the comptroller of said city to pay to her a warrant for Five Hundred Dollars (\$500.00) in payment for injuries and damages suffered and sustained by her on March 11, 1948, as the proximate consequence and result of the negligent operation or maintenance of a city fire truck which crashed into the building in which she was working at 3814 Clairmont Avenue in the City of Birmingham, and thereby injured the said Lura Blanche Ellard.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 885. To amend Section 81 of Title 55 of the Code of Alabama (1940) which relates to the division of control and accounts; the comptroller.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the bill, to-wit:

Senate Finance and Taxation Committee Amendment to H. B. 885.

Amend Section 1 of said bill by striking therefrom the words and figures "seventy-five hundred dollars (\$7,500.00)" and by substituting therefor the words and figures "sixty-five hundred dollars (\$6,500.00)."

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Glover	Hughes	Patton	
Allen	Gulledge	Kendall	Perry	
Barrett	Hardwick	Kimbrell	Quarles	
Boutwell	Harvey	Lamberth	Russell	
Clayton	Henderson	Langan	Swift	
Fite	Hooton	Mize	Wright	
Gaither	Howle	Patterson		—26

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Glover	Hughes	Patton	
Allen	Gulledge	Kendall	Perry	
Cater	Hardwick	Kimbrell	Quarles	
Clayton	Henderson	Lamberth	Russell	
Coleman	Hooton	Langan	Summerlin	
Gaither	Howle	Mize	Wright	
				—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to inform the Senate that the

House stands ready to adjourn sine die and awaits any communication that the Senate might desire to transmit to it.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 232. To amend Sections 246 and 251 of Title 29 of the Code of Alabama (1940), which relate to the distribution of the proceeds of sales of contraband property.

Also:

H. 306. To amend Section 1036 of Title 7 of the Code of Alabama (1940) relating to the requirement of assent of a state official garnished.

Also:

H. 307. To amend Section 1035 of Title 7 of the Code of Alabama (1940) relating to garnishment of salaries of public officials or employees.

Also:

H. 315. To appropriate the sum of ten thousand dollars (\$10,000.00) for repairing and restoring Fort Morgan, located in Baldwin County.

Also:

H. 860. To amend Section 68 of Title 52 of the Code of Alabama (1940), which relates to the compensation of the members of county boards of education.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following bill:

H. 885. To amend Section 81 of Title 55 of the Code of Alabama (1940) which relates to the division of control and accounts; the comptroller.

R. T. GOODWYN, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 885. To amend Section 81 of Title 55 of the Code of Alabama (1940) which relates to the division of control and accounts; the comptroller.

R. T. GOODWYN, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. B. 122 Delivered to the Governor, July 19, 1949 at 10:50 A. M.
S. B. 419 Delivered to the Governor, July 19, 1949 at 10:50 A. M.
S. B. 487 Delivered to the Governor, July 19, 1949 at 3:30 P. M.
S. J. R. 51 Delivered to the Governor, July 19, 1949 at 3:30 P. M.
S. J. R. 52 Delivered to the Governor, July 19, 1949 at 3:30 P. M.
S. B. 297 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 298 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 299 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 300 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 301 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 302 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 304 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 306 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 307 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 308 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 311 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 312 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 313 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 398 Delivered to the Governor, July 22, 1949 at 9:30 A. M.
S. B. 305 Delivered to the Governor, July 22, 1949 at 11:18 A. M.
S. B. 309 Delivered to the Governor, July 22, 1949 at 11:18 A. M.
S. B. 310 Delivered to the Governor, July 22, 1949 at 11:18 A. M.
S. B. 136 Delivered to the Governor, July 26, 1949 at 10:30 A. M.
S. B. 173 Delivered to the Governor, July 26, 1949 at 10:30 A. M.
S. B. 174 Delivered to the Governor, July 26, 1949 at 10:30 A. M.
S. B. 303 Delivered to the Governor, July 26, 1949 at 10:30 A. M.
S. B. 474 Delivered to the Governor, July 26, 1949 at 10:30 A. M.
S. B. 510 Delivered to the Governor, July 26, 1949 at 10:30 A. M.

- S. J. R. 56 Delivered to the Governor, July 26, 1949 at 10:30
A. M.
- S. J. R. 9 Delivered to the Governor, July 29, 1949 at 9:30 A. M.
S. B. 506 Delivered to the Governor, July 29, 1949 at 9:30 A. M.
S. B. 508 Delivered to the Governor, July 29, 1949 at 9:30 A. M.
S. B. 509 Delivered to the Governor, July 29, 1949 at 9:30 A. M.
S. B. 524 Delivered to the Governor, July 29, 1949 at 9:30 A. M.
S. B. 525 Delivered to the Governor, July 29, 1949 at 9:30 A. M.
S. B. 528 Delivered to the Governor, July 29, 1949 at 9:30 A. M.
S. B. 529 Delivered to the Governor, July 29, 1949 at 9:30 A. M.
S. B. 103 Delivered to the Governor, August 2, 1949 at 10:30
A. M.
- S. B. 110 Delivered to the Governor, August 2, 1949 at 10:30
A. M.
- S. B. 468 Delivered to the Governor, August 2, 1949 at 10:30
A. M.
- S. B. 484 Delivered to the Governor, August 2, 1949 at 10:30
A. M.
- S. B. 549 Delivered to the Governor, August 2, 1949 at 10:30
A. M.
- S. B. 553 Delivered to the Governor, August 2, 1949 at 10:30
A. M.
- S. B. 521 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 536 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 538 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 555 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 556 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 558 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 559 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 560 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 561 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 562 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 563 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 564 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 565 Delivered to the Governor, August 5, 1949 at 9:30
A. M.

- S. B. 566 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. B. 174 Delivered to the Governor, August 5, 1949 at 9:30
A. M.
- S. J. R. 61 Delivered to the Governor, August 9, 1949 at 10:15
A. M.
- S. B. 422 Delivered to the Governor, August 9, 1949 at 10:15
A. M.
- S. B. 498 Delivered to the Governor, August 9, 1949 at 10:15
A. M.
- S. B. 500 Delivered to the Governor, August 9, 1949 at 10:15
A. M.
- S. B. 507 Delivered to the Governor, August 9, 1949 at 10:15
A. M.
- S. J. R. 57 Delivered to the Governor, August 9, 1949 at 2:15
P. M.
- S. J. R. 58 Delivered to the Governor, August 9, 1949 at 2:15
P. M.
- S. J. R. 59 Delivered to the Governor, August 9, 1949 at 2:15
P. M.
- S. J. R. 64 Delivered to the Governor, August 9, 1949 at 4:50
P. M.
- S. J. R. 65 Delivered to the Governor, August 9, 1949 at 4:50
P. M.
- S. B. 550 Delivered to the Governor, August 9, 1949 at 4:50
P. M.
- S. B. 584 Delivered to the Governor, August 9, 1949 at 4:50
P. M.
- S. B. 585 Delivered to the Governor, August 9, 1949 at 4:50
P. M.
- S. B. 586 Delivered to the Governor, August 9, 1949 at 4:50
P. M.
- S. B. 103 Delivered to the Governor, August 11, 1949 at 11:20
A. M.
- S. B. 499 Delivered to the Governor, August 11, 1949 at 11:20
A. M.
- S. B. 579 Delivered to the Governor, August 11, 1949 at 11:50
A. M.
- S. B. 597 Delivered to the Governor, August 11, 1949 at 11:50
A. M.
- S. B. 13 Delivered to the Governor, August 16, 1949 at 10:21
A. M.
- S. B. 33 Delivered to the Governor, August 16, 1949 at 10:21
A. M.
- S. B. 148 Delivered to the Governor, August 16, 1949 at 10:21
A. M.
- S. J. R. 69 Delivered to the Governor, August 16, 1949 at 4:20
P. M.

- S. J. R. 70 Delivered to the Governor, August 16, 1949 at 4:20
P. M.
- S. B. 598 Delivered to the Governor, August 16, 1949 at 4:20
P. M.
- S. B. 602 Delivered to the Governor, August 16, 1949 at 4:20
P. M.
- S. B. 603 Delivered to the Governor, August 16, 1949 at 4:20
P. M.
- S. B. 604 Delivered to the Governor, August 16, 1949 at 4:20
P. M.
- S. B. 607 Delivered to the Governor, August 16, 1949 at 4:20
P. M.
- S. B. 431 Delivered to the Governor, August 19, 1949 at 9:15
A. M.
- S. B. 465 Delivered to the Governor, August 19, 1949 at 3:58
P. M.
- S. B. 582 Delivered to the Governor, August 19, 1949 at 3:58
P. M.
- S. B. 608 Delivered to the Governor, August 19, 1949 at 3:58
P. M.
- S. B. 138 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 139 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 140 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 293 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 539 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 540 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 542 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 572 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 574 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 613 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 615 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 616 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 617 Delivered to the Governor, August 26, 1949 at 9:40
A. M.
- S. B. 618 Delivered to the Governor, August 26, 1949 at 9:40
A. M.

S. B. 552 Delivered to the Secretary of State, August 26, 1949 at 9:35 A. M.

S. B. 620 Delivered to the Secretary of State, August 30, 1949 at 9:15 A. M.

S. B. 619 Delivered to the Governor, August 26, 1949 at 9:40 A. M.

S. B. 305 Delivered to the Secretary of State, August 26, 1949 at 9:35 A. M.

S. J. R. 76 Delivered to the Governor, August 26, 1949 at 9:40 A. M.

S. J. R. 77 Delivered to the Governor, August 26, 1949 at 9:40 A. M.

S. B. 501 Delivered to the Governor, August 26, 1949 at 9:40 A. M.

S. B. 401 Delivered to the Governor, August 26, 1949 at 9:40 A. M.

S. B. 402 Delivered to the Governor, August 26, 1949 at 9:40 A. M.

S. J. R. 73 Delivered to the Governor, August 26, 1949 at 2:25 A. M.

S. B. 543 Delivered to the Governor, August 26, 1949 at 2:25 A. M.

S. B. 172 Delivered to the Governor, August 29, 1949 at 8:05 A. M.

S. J. R. 79 Delivered to the Governor, September 2, 1949 at 10:30 A. M.

S. J. R. 80 Delivered to the Governor, September 2, 1949 at 10:30 A. M.

S. J. R. 81 Delivered to the Governor, September 2, 1949 at 10:30 A. M.

S. J. R. 82 Delivered to the Governor, September 2, 1949 at 10:30 A. M.

S. B. 85 Delivered to the Governor, September 2, 1949 at 10:30 A. M.

S. B. 167 Delivered to the Governor, September 2, 1949 at 10:30 A. M.

S. B. 184 Delivered to the Governor, September 2, 1949 at 10:30 A. M.

S. B. 193 Delivered to the Governor, September 2, 1949 at 10:30 A. M.

S. B. 206 Delivered to the Governor, September 2, 1949 at 10:30 A. M.

S. B. 427 Delivered to the Governor, September 2, 1949 at 10:30 A. M.

S. B. 446 Delivered to the Governor, September 2, 1949 at 10:30 A. M.

S. B. 478 Delivered to the Governor, September 2, 1949 at 10:30 A. M.

- S. B. 481 Delivered to the Governor, September 2, 1949 at 10:30
A. M.
- S. B. 482 Delivered to the Governor, September 2, 1949 at 10:30
A. M.
- S. B. 518 Delivered to the Governor, September 2, 1949 at 10:30
A. M.
- S. B. 554 Delivered to the Governor, September 2, 1949 at 10:30
A. M.
- S. B. 571 Delivered to the Governor, September 2, 1949 at 10:30
A. M.
- S. B. 465 Delivered to the Secretary of State, September 2, 1949
at 2:30 P. M.
- S. B. 253 Delivered to the Governor, September 6, 1949 at 8:20
A. M.
- S. B. 627 Delivered to the Governor, September 6, 1949 at 8:20
A. M.
- S. B. 629 Delivered to the Governor, September 6, 1949 at 8:20
A. M.
- S. B. 633 Delivered to the Governor, September 6, 1949 at 8:20
A. M.
- S. B. 634 Delivered to the Governor, September 6, 1949 at 8:20
A. M.
- S. B. 635 Delivered to the Governor, September 6, 1949 at 8:20
A. M.
- S. B. 636 Delivered to the Governor, September 6, 1949 at 8:20
A. M.
- S. B. 637 Delivered to the Governor, September 6, 1949 at 8:20
A. M.
- S. B. 638 Delivered to the Governor, September 6, 1949 at 8:20
A. M.
- S. B. 639 Delivered to the Governor, September 6, 1949 at 8:20
A. M.
- S. B. 640 Delivered to the Governor, September 6, 1949 at 8:20
A. M.
- S. B. 642 Delivered to the Governor, September 6, 1949 at 8:20
A. M.
- S. B. 109 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. B. 112 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. B. 218 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. B. 326 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. B. 400 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. B. 407 Delivered to the Governor, September 9, 1949 at 11:00
A. M.

- S. B. 463 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. B. 491 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. B. 517 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. B. 578 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. J. R. 91 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. J. R. 92 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. J. R. 94 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. J. R. 95 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. J. R. 96 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. J. R. 99 Delivered to the Governor, September 9, 1949 at 11:00
A. M.
- S. J. R. 100 Delivered to the Governor, September 9, 1949 at 4:00
P. M.
- S. J. R. 103 Delivered to the Governor, September 9, 1949 at 4:00
P. M.
- S. B. 318 Delivered to the Governor, September 9, 1949 at 4:00
P. M.
- S. B. 394 Delivered to the Governor, September 9, 1949 at 4:00
P. M.
- S. B. 514 Delivered to the Governor, September 9, 1949 at 4:00
P. M.
- S. B. 541 Delivered to the Governor, September 9, 1949 at 4:00
P. M.
- S. B. 647 Delivered to the Governor, September 9, 1949 at 4:00
P. M.
- S. B. 652 Delivered to the Governor, September 9, 1949 at 4:00
P. M.
- S. B. 655 Delivered to the Governor, September 9, 1949 at 4:00
P. M.
- S. B. 657 Delivered to the Governor, September 9, 1949 at 4:00
P. M.
- S. B. 518 Delivered to the Governor, September 9, 1949 at 8:20
P. M.
- S. B. 548 Delivered to the Governor, September 9, 1949 at 8:20
P. M.
- S. B. 246 Delivered to the Governor, September 9, 1949 at 8:20
P. M.
- S. B. 247 Delivered to the Governor, September 9, 1949 at 8:20
P. M.

- S. B. 432 Delivered to the Governor, September 9, 1949 at 8:20 P. M.
S. B. 651 Delivered to the Governor, September 9, 1949 at 8:20 P. M.
S. B. 658 Delivered to the Governor, September 9, 1949 at 8:20 P. M.
S. B. 46 Delivered to the Governor, September 9, 1949 at 8:20 P. M.
S. B. 267 Delivered to the Governor, September 9, 1949 at 8:20 P. M.
S. B. 653 Delivered to the Governor, September 9, 1949 at 8:20 P. M.
S. B. 269 Delivered to the Governor, September 9, 1949 at 8:20 P. M.
S. B. 129 Delivered to the Governor, September 9, 1949 at 9:30 P. M.
S. B. 280 Delivered to the Governor, September 9, 1949 at 9:30 P. M.
S. B. 587 Delivered to the Governor, September 9, 1949 at 9:30 P. M.
S. J. R. 105 Delivered to the Governor, September 9, 1949 at 9:30 P. M.
S. J. R. 106 Delivered to the Governor, September 9, 1949 at 9:30 P. M.
S. J. R. 107 Delivered to the Governor, September 9, 1949 at 9:30 P. M.
S. B. 591 Delivered to the Governor, September 9, 1949 at 9:30 P. M.
S. J. R. 108 Delivered to the Governor, September 9, 1949 at 9:50 P. M.
S. B. 95 Delivered to the Governor, September 9, 1949 at 10:10 P. M.
S. B. 172—Delivery was attempted at 5 P. M., August 26, 1949—Governor's office closed.

J. E. SPEIGHT,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journals of the Senate for the Thirty-fourth, Thirty-fifth, and Thirty-sixth Legislative days and finds same correct

and containing all original entries and references thereto required by the Constitution.

V. S. SUMMERLIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. Summerlin, the foregoing report was concurred in and the Journals of the Senate for the Thirty-fourth, Thirty-fifth and Thirty-sixth Legislative Days were approved by the Senate.

At 11:47 P. M. Mr. Russell moved that the Senate adjourn Sine Die.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 172 without his approval.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

September 9, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 172, without my approval.

Respectfully,
JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 184, with suggested executive amendments.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

September 9, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill # 184, without my approval and with suggested executive amendments.

Senate Bill No. 184 merely requires persons employed by the State, cities or counties, to file an oath that they are not members of any party advocating the overthrow of the government of the United States and of the State of Alabama and have no sympathy for the doctrines or teachings of any such party.

If it is desirable for government employees to sign such an oath, then it is equally desirable that all persons holding offices by virtue of authority of the State of Alabama to sign such an oath. All corporations franchised by the State of Alabama are permitted to engage in business by virtue of authority from the State, and are therefore creatures of the State of Alabama. Such corporations, economically, socially, and politically control and exert great influence over thousands of citizens of Alabama. Therefore, the directors and officers of such corporations wield great control over the welfare and well-being of the State of Alabama, the same as do government employees. Furthermore, many corporations in times of emergency become vital to the very existence of the people. This is particularly true of public utilities and munition plants. One of the amendments herein suggested affords to the officers and directors of such corporations the opportunity to profess their patriotism in the same manner required of public employees.

Another suggested amendment is for the purpose of clarifying provisions of the oath required.

The oath proposed in Senate Bill No. 184 requires the signer to swear that he is not in sympathy with the doctrines and teachings of communism. It is well known that the various forms of government—Democratic, Monarchy, Communist, Socialist to some extent, have similar doctrines and teachings. In order to clarify this inconsistency, I am suggesting certain changes therein.

It is therefore respectfully suggested that Senate Bill No. 184 be amended as follows:

Insert in the title of said bill, after the words "sub-division of this State" the following "and all officers and directors of corporations organized under the laws of Alabama or organized to do business in the State of Alabama."

Amend the title of said bill further by adding at the end thereof, the following "the revocation of the certificate of incorporation or the right to engage in business in Alabama of any corporation which fails to carry out the provisions of this Act."

Amend Section 1 of said bill by adding after the words "throughout the entire State" the following "and all officers and directors of any corporation organized under the laws of Alabama, or authorized to engage in business in the State of Alabama."

Amend Section 2 of said bill by striking the following words "and that they have no sympathy for the doctrines of communism."

Amend Section 3 of said bill by adding after the words "such an employee" the following "or being an officer or director of _____, a corporation."

Amend Section 3 further by striking therefrom the following words: "and that I have no sympathy for the doctrines of communism and will not lend my aid, my support, my advice, my counsel, nor my influence to the Communist Party or to the teachings of communism."

Amend Section 4 of said bill by adding after the words "is employed"

the following "or the corporation of which such person is an officer or director."

Amend Section 5 of said bill by adding at the end thereof, the following; "and to all officers and directors of any corporation organized under the laws of Alabama or authorized to do business in the State of Alabama."

Amend said bill further by adding Section 6 (a) to read as follows: "Section 6 (a). Any corporation organized under the laws of Alabama or organized to engage in business in the State of Alabama, which fails to comply with the provisions of this Act shall upon proceedings instituted by the Attorney General or any taxpayer in the State of Alabama forfeit its charter, or its right to engage in business in the State of Alabama."

The adoption of the above suggested amendments will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 427, without his approval.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

September 9, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 427, without my approval.

Respectfully,

JAMES E. FOLSOM,
Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 206, with a suggested executive amendment.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

September 9, 1949.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the House in which this bill originated, Senate Bill No. 206, with a suggested executive amendment.

Amend said bill by adding Section 3 to read as follows:

"Section 3. As of September 30, 1949 said Building Commission shall be abolished and cease to exist, and all records, funds, properties, and unfinished business shall be transferred to and vest in the Capitol Building Commission."

The adoption of the suggested amendment will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGES

The foregoing Messages from His Excellency, the Governor, relative to S. B.'s 184, 427, 206, and 172 were received by the Secretary at 11:48 P. M.

At 11:59 P. M., in accordance with previous motion of Mr. Russell, the Senate adjourned Sine Die.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fite	Hooton	Lowe	
Allen	Glover	Hughes	Patterson	
Barrett	Golson	Kendall	Perry	
Boutwell	Gulledge	Kimbrell	Russell	
Cater	Hardwick	Lamberth	Swift	
Clayton	Harvey	Langan	Wright	
Coleman	Henderson			—25

Nays:

—0

J. C. INZER,
President and Presiding Officer of the Senate.

Attest:

J. E. SPEIGHT,
Secretary of Senate.

LEGISLATIVE DAYS—REGULAR SESSION 1949

<i>Legislative Days—Calendar Days</i>	<i>Days</i>
FIRST DAY—Tuesday, May 3.....	1
SECOND DAY—Friday, May 6.....	36
THIRD DAY—Tuesday, May 10.....	64
FOURTH DAY—Thursday, May 12.....	134
FIFTH DAY—Tuesday, May 17.....	173
SIXTH DAY—Friday, May 20.....	210
SEVENTH DAY—Tuesday, May 24.....	252
EIGHTH DAY—Friday, May 27.....	302
NINTH DAY—Tuesday, May 31.....	338
TENTH DAY—Friday, June 3.....	392
ELEVENTH DAY—Tuesday, June 7.....	436
TWELFTH DAY—Friday, June 10.....	495
THIRTEENTH DAY—Tuesday, June 14.....	541
FOURTEENTH DAY—Friday, June 17.....	619
FIFTEENTH DAY—Tuesday, June 21.....	682
SIXTEENTH DAY—Friday, June 24.....	751
SEVENTEENTH DAY—Tuesday, June 28.....	822
EIGHTEENTH DAY—Friday, July 1.....	907
NINETEENTH DAY—Wednesday, July 6.....	951
TWENTIETH DAY—Friday, July 8.....	1013
TWENTY-FIRST DAY—Tuesday, July 12.....	1071
TWENTY-SECOND DAY—Friday, July 15.....	1127
TWENTY-THIRD DAY—Tuesday, July 19.....	1199
TWENTY-FOURTH DAY—Friday, July 22.....	1287
TWENTY-FIFTH DAY—Tuesday, July 26.....	1360
TWENTY-SIXTH DAY—Friday, July 29.....	1422
TWENTY-SEVENTH DAY—Tuesday, August 2.....	1480
TWENTY-EIGHTH DAY—Friday, August 5.....	1574

TWENTY-NINTH DAY—Tuesday, August 9	1624
THIRTIETH DAY—Thursday, August 11	1700
THIRTY-FIRST DAY—Tuesday, August 16	1805
THIRTY-SECOND DAY—Friday, August 19	1940
THIRTY-THIRD DAY—Tuesday, August 23	2045
THIRTY-FOURTH DAY—Friday, August 26	2190
THIRTY-FIFTH DAY—Friday, September 2	2292
THIRTY-SIXTH DAY—Friday, September 9	2389

INDEX

ABSENTEE VOTING

- Amending act approved July 7, 1945, S. B. 214, relating to absentee voting in primary, general and municipal elections. S. B. 50, pages 15, 424.
- Repealing Act 478, S. 214, approved July 7, 1945, relating to absentee voting. S. B. 170, page 66.
- Amending Act 478, S. 214, approved July 7, 1945, relating to absentee voting. S. 181, page 108.
- Repealing Act 478, S. 214, approved July 7, 1945, relating to absentee voting. S. B. 182, page 107.
- Amending Act 478, S. 214, approved July 7, 1945, relating to absentee voting. S. B. 204, page 139.
- Relative to absentee voting in primary, general, special and municipal elections. H. B. 351, pages 658, 922, 1777, 1837, 1898, 1959.

ACCOUNTS RECEIVABLE

- To provide for assignment and notice of same; to fix rights, etc., of assignors and assignees and of persons owing same. S. B. 174, pages 67, 516, 1004, 1350, 1361, 1550, 1571, 1578, 2490, 2492.

ACTS AMENDED

- Amending Act 569, General Acts, 1947, page 402, approved October 2, 1947—to fix and prescribe salaries to be paid to circuit judges. S. B. 8, page 5.
- Amending Sec. 10 of act approved July 9, 1945, relating to examination and regulations of licensed practical nurses. S. B. 9, page 6.
- Amending Act 152, H. B. 60, approved June 20, 1945, creating Legislative Reference Service and a Supervisory Legislative Council. S. B. 33, pages 10, 418, 1601, 1757, 1806, 2492.
- Amending Secs. 4, 5, 8, of Act 515, General Acts 1945, page 734. S. B. 36, page 10.
- Amending Act 478, S. B. 214, approved July 7, 1945, relating to absentee voting in primary, general and municipal elections. S. B. 50, pages 15, 424.
- Amending Act 461, Sec. 5, H. B. 76, approved July 12, 1943, abolishing bills of exceptions in circuit court and courts of like jurisdiction. S. B. 52, pages 15, 44, 132, 433, 437, 1195.
- Amending Act 228, Sec. 3, approved July 31, 1947, providing additional supernumerary judges. S. B. 63, pages 17, 43, 130, 654, 683, 875, 1112, 1155, 1168, 1196, 1198.
- Amending Act 16, Sec. 2, H. 120, approved May 20, 1943, allowing tax assessor and tax collector of Russell County to appoint a deputy. S. B. 72, pages 18, 48, 147, 239, 253, 1195.
- Amending Act 236, Sec. 19, H. 222, approved July 29, 1947, establishing city commission for Phenix City. S. B. 73, pages 19, 48, 147, 239, 253, 1195.
- Amending Act approved July 8, 1943, relating to common trust fund. S. B. 111, pages 25, 218, 479, 1122, 1129, 1198.
- Amending Act 255, H. 313, approved July 23, 1943, relative to profits from ABC Board. S. B. 146, pages 37, 227.
- Amending Act 15, H. 221, 1945 Local Acts, relating to Houston County. S. B. 175, pages 104, 140, 235, 334, 587, 1196.
- Amending Act 478, S. 214, approved July 7, 1945, relating to absentee voting. S. 181, page 107.
- Amending Act 96, H. 102, Secs. 7-14, approved June 1945, relating to nurses. S. B. 188, page 136.
- Amending Act 478, S. 214, approved July 7, 1945, by revising same, relating to absentee voting. S. B. 204, page 139.

ACTS AMENDED—Continued

- Amending Act 128, H. 129, approved June 16, 1945, creating State Building Commission. S. B. 206, pages 139, 1023, 1358, 2276, 2294, 2494, 2500.
- Amending Act 472, H. 956, approved Sept. 15, 1939, relating to Conecuh County. S. B. 214, pages 174, 220, 284, 343, 377, 1195.
- Amending Sec. 2 of Act approved July 5, 1940, relating to common carriers. S. B. 216, pages 176, 309, 372, 595, 621, 1196.
- Amending Act 351, S. B. 66, approved August 14, 1947, relating to public accounts. S. B. 220, pages 177, 914.
- Amending Secs. 1 and 2 of Act 95, H. 395, approved July 7, 1947 relating to Limestone County. S. B. 257, pages 254, 314, 350, 468, 505, 1196.
- Amending Secs. 1 and 2 of Act 120, S. 210, approved July 17, 1947, relating to Limestone County. S. B. 258, pages 255, 314, 349, 468, 505, 1196.
- Amending Act 152, H. B. 60, approved June 20, 1945, relating to Legislative Reference Service. S. B. 286, pages 307, 796.
- Amending Secs. 1-4, 6, 8, 10, 13, 16 and 31 of act approved August 16, 1939, relating to electric membership corporations. S. B. 292, page 378.
- Amending Secs. 4-8, Act 402, S. 217, approved July 9, 1945, relating to Department of Aeronautics. S. B. 294, pages 395, 510, 601.
- Amending Sec. 19, Act 664, H. B. 791, relating to taxes from motor carriers. S. B. 309, pages 397, 511, 610, 1310, 1324, 1453, 1550, 1566, 2490.
- Amending Sec. 5, Act 169, H. 27, relating to Forest Products Severance Tax. S. B. 310, pages 397, 511, 612, 1308, 1325, 1454, 1567, 2490.
- Amending Sec. 12, Act 590, H. 392, relating to excise tax on diesel oil etc. S. B. 311, pages 397, 512, 614, 1288, 1290, 1455, 1568, 2490.
- Amending Sec. 7 of Act 2, H. 47, relating to privilege tax on persons producing or severing oil or gas from soils or waters. S. B. 312, pages 397, 512, 616, 1288, 1290, 1455, 1569, 2490.
- Amending Secs. 1, 3, 4, 5, 8 and 12 of Act 515, relating to benefits for State and Municipal policemen. S. B. 319, pages 398, 1585.
- Amending Act 99, H. 237, relating to general revenue. S. B. 321, pages 398, 512, 662.
- Amending Act 255, H. 313, relating to use of profits from ABC Board. S. B. 324, pages 399, 512.
- Amending Sec. 32, Act 1, H. 46, relating to conserving natural resources. S. B. 330, pages 402, 512, 666.
- Amending Act 455, H. 430, approved July 6, 1945, relating to State Docks fire insurance. S. B. 345, pages 404, 774, 1417.
- Amending Act 233, H. 154, approved July 7, 1945, authorizing State Docks to obtain submerged lands.
- Amending Act 159, H. 233, approved July 23, 1945, relating to lending money. S. B. 350, pages 405, 513, 671.
- Amending Sec. 10, Act 341, H. 26, approved July 9, 1945, relating to Department of Conservation. S. B. 352, pages 406, 513, 673.
- Amending Act 230, H. 91, approved July 9, 1945, relating to Game, Fish and Seafoods fund. S. B. 353, pages 406, 513, 674.
- Amending Sec. 1, Act 550, S. 443, approved October 8, 1945, providing for appointment of county Supt. of Education for Geneva County. S. B. 359, pages 407, 454, 502, 655, 684, 1196.
- Amending Secs. 2 and 3 Act 500, S. 356, approved July 9, 1943, "Bread, Flour and corn meal enrichment act." S. B. 383, pages 415, 631.
- Amending Sec. 4 Act 633, approved October 3, 1947, relating to Marion County. S. B. 386, pages 439, 518, 559, 699, 743, 1196.
- Amending Act 394, H. 823, approved September 26, 1923, relating to Clay County. S. B. 389, pages 452, 518, 559, 700, 743, 1196.

ACTS AMENDED—Continued

- Amending Act 1, H. B. 46, approved May 22, 1945, relating to conservation of natural resources. S. B. 407, pages 498, 796, 919, 1874, 2340, 2397, 2495.
- Amending Act 247, S. 121, Approved August 6, 1947, relating to examination of persons in Alabama for tuberculosis. S. B. 408, pages 498, 773.
- Amending Secs. 1 and 3 of Act 523, S. 315, approved September 30, 1947, creating Water Improvement Advisory Commission and making appropriation for same. S. B. 431, pages 591, 917, 1553, 1906, 1940, 2493.
- Amending Sec. 3 of Act approved May 19, 1945, fixing compensation of tax assessor of Houston County. S. B. 429, pages 551, 642, 721, 860, 911, 1197. S. B. 429, pages 551, 642, 721, 860, 911, 1197.
- Amending Sec. 3 of Act approved May 19, 1945, fixing compensation of clerk of circuit court of Houston County. S. B. 428, pages 548, 641, 720, 859, 910, 1197.
- Amending Sec. 7 of Act approved August 10, 1927, authorizing Mobile County to levy taxes for road and bridge improvement, as amended. S. B. 440, pages 262, 696, 829, 1048, 1080, 1197.
- Amending Act 315, S. 293, approved August 13, 1947, relating to Houston County Court of Record. S. B. 456, pages 687, 778, 827, 1001, 1018, 1197.
- Amending Sec. 4 Act approved September 13, 1939, creating office of County Solicitor of Chilton County. S. B. 464, pages 693, 778, 864, 1001, 1018, 1197.
- Amending Act 183, H. 62, approved June 18, 1943, Secs. 2 and 5 and repealing Sec. 6, relating to creation of State Planning Board. S. B. 478, pages 771, 919, 1357, 2272, 2294, 2494.
- Amending Sec. 2 and 5 of Act 164, 1945, relating to judge of Probate of Morgan County. S. B. 500, pages 933, 973, 1191, 1605, 1625, 2492.
- Amending Secs. 1 and 3 of Act 464, 1939, as amended, relating to compensation of Tax Collector of Morgan County. S. B. 499, pages 931, 973, 1190, 1704, 1722, 2492.
- Amending Secs. 1 and 4 of Act 70, 1943. S. B. 501, pages 935, 973, 1191, 2117, 2120, 2147, 2154, 2196, 2494.
- Amending Sec. 3 of Act 492, H. 778, approved Sept. 30, 1947, relating to contracts for public works. S. B. 514, pages 1021, 1587, 2241, 2417, 2432, 2496.
- Amending Secs. 3, 18 and 27 of Act approved August 7, 1947, which act is known as Civil Service Act of Dothan, S. B. 524, pages 1099, 1152, 1232, 1387, 1423, 2491.
- Amending Sec. 3 of Act approved May 19, relating to compensation of Tax Collector of Houston County. S. B. 525, pages 1101, 1152, 1233, 1388, 1423, 2491.
- Amending Act 500, Secs. 2, 3 and 4, approved July 9, 1943, relating to adopting Federal Standards by requiring enrichment of all corn meal. S. B. 531, pages 1107, 1153.
- Amending Act approved July 12, 1943, abolishing bills of exceptions in circuit court and courts of like jurisdiction. S. B. 537, pages 1134, 1296.
- Amending Act 83, H. 68, approved March 4, 1931, relating to superintendent of Education for Crenshaw County. S. B. 543, pages 1135, 1216, 1379, 2239, 2271, 2494.
- Amending Act 315, S. 293, approved August 13, 1947, establishing court of record for Houston County. S. B. 549, pages 1137, 1215, 1316, 1468, 1481, 2491.
- Amending Sec. 6 Act 694, 1947, relating to arrest of diseases among animals. S. B. 551, pages 1175, 1299.

ACTS AMENDED—Continued

- Amending Sec. 4, Act 515, general acts 1945, page 734. S. B. 554, pages 1200, 1427, 1597, 2265, 2296, 2495.
- Amending Act H. 1009, approved September 16, 1939, as amended, establishing Inferior Court of Geneva County. S. B. 555, pages 1201, 1301, 1381, 1505, 1575, 2491.
- Amending Sec. 2, Act 93, S. 127, approved April 7, 1936, relating to sheriff of Tuscaloosa County. S. B. 559, pages 1204, 1300, 1375, 1503, 1575, 2491.
- Amending Sec. 1, Act 129, H. 525, approved June 12, 1935, relating to Probate Judge of Tuscaloosa County. S. B. 560, pages 1206, 1302, 1377, 1504, 1576, 2491.
- Amending Sec. 1, Act 128, H. 524, approved June 12, 1935, relating to compensation of Tax Assessor, clerks, deputies, etc., of Tuscaloosa County. S. B. 563, pages 1209, 1304, 1379, 1504, 1577, 2491.
- Amending Act 569, Approved October 2, 1947, relating to salaries of Circuit Judges. S. B. 574, pages 1294, 1373, 1799, 2119, 2193, 2493.
- Amending Sec. 9, act approved July 9, 1945, relating to Office of Land Agent, Dept. of Conservation. S. B. 581, pages 1365, 1429.
- Amending Secs. 2 and 9 of Act 228, H. 707, approved August 3, 1927, establishing an Inferior court of Tuscaloosa County. S. B. 585, pages 1369, 1434, 1491, 1682, 1696, 2492.
- Amending Sec. 1 Act 73, H. 190, approved March 31, 1936, relating to compensation of clerk of circuit court, etc., of Tuscaloosa County. S. B. 586, pages 1371, 1434, 1492, 1683, 1696, 2492.
- Amending Secs. 1 and 12 Act 515, approved July 9, 1945, as amended by Act 606, approved October 13, 1947, relating to State Employees Retirement System. S. B. 594, pages 1426, 1546.
- Amending Secs. 3, 7 and 8 S. 365, approved Oct. 2, 1947, relating to collection of delinquent court costs and fees in Jefferson County. S. B. 604, pages 1484, 1591, 1670, 1838, 1904, 2493.
- Amending Sec. 1, Act 607, S. 202, approved Oct. 9, 1947, relating to State Employees Retirement benefits. S. B. 611, pages 1581, 1703.
- Amending Act 200, approved June 28, 1949, authorizing Marion county to issue bonds for hospitals and health facilities. S. B. 620, pages 1638, 1710, 1832, 2106, 2195, 2494.
- Amending Secs. 4 and 8 of Act approved July 17, 1931, establishing Inferior Court in Blount County. S. B. 637, pages 1817, 1957, 2128, 2330, 2371, 2495.
- Amending Act 162, H. 152, approved August 21, 1923, creating office of County Treasurer of Chilton County. S. B. 639, pages 1820, 1958, 2142, 2331, 2371, 2495.
- Amending Act 287, approved July 7, 1945, relating to tuberculosis hospitals. H. B. 4, pages 748, 861.
- Amending Act creating municipal utilities Board of Decatur. H. B. 102, pages 120, 141, 234, 275.
- Amending act enlarging and extending jurisdiction of Circuit Court of Tallapoosa County. H. B. 110, pages 123, 142, 205, 275.
- Amending act relating to county superintendent of Education of Washington County, H. B. 111, pages 126, 142, 197, 212.
- Amending Act 569, approved October 2, 1947. H. B. 118, pages 1468, 1546.
- Amending act relating to schools of nursing. H. B. 176, pages 194, 223, 2470, 2479.
- Amending Sec. 1 of Act approved May 20, 1935, allowing sheriff of Elmore County additional deputy. H. B. 223, pages 183, 220, 225, 288, 304.
- Amending Sec. 2, Act 159, approved June 23, 1945, relating to license for business of lending money. H. B. 228, pages 596, 638, 974, 986, 1014, 1171, 1271.

ACTS AMENDED—Continued

- Amending Sec. 2 of Act approved May 28, 1943, H. B. 241, pages 188, 218, 288, 305.
- Amending Sec. 1 of Act authorizing sheriff of Russell County to appoint additional deputy. H. B. 242, pages 189, 219, 287, 305.
- Amending Act 307, H. 526, approved Sept. 1, 1939, allowing sheriff of Marion County additional deputy. H. B. 244, pages 190, 219, 285, 305.
- Amending Sec. 4 Act approved July 10, 1940, establishing a county court in Jackson County. H. B. 277, pages 243, 340, 488, 507.
- Amending Sec. 8 of Act, designating cities with population of 150,000 and less than 17,500 as Class "D" Cities, creating commission form of government. H. B. 283, pages 530, 634, 1893, 1959.
- Amending Sec. 1 Act 228, S. 21, approved July 31, 1947, providing additional supernumerary judges. H. B. 309, pages 537, 740, 772.
- Amending Act 103, H. 453, approved June 9, 1945, relating to duties of coroner in counties of 67,500 and not more than 75,000 population. H. B. 346, pages 311, 366, 633, 718, 752.
- Amending Act establishing county court for DeKalb County. H. B. 374, pages 355, 419, 458, 508.
- Amending Sec. 2 of act to re-divide state into judicial circuits and to provide for holding court in several counties. H. B. 435, pages 1552, 1582, 1652, 1675.
- Amending Act 258, H. 679, approved June 12, 1931, relating to county Superintendent of Education in Elmore County. H. B. 437, pages 476, 519, 563, 623.
- Amending Sec. 2 Act 251, H. 296, relating to building, etc., of public roads and bridges in Cherokee County, approved August 24, 1939. H. B. 457, pages 524, 554, 732, 753.
- Amending Secs. 1, 2 and 3 of Act 121, S. 211, approved July 17, 1947, changing method of compensation sheriff in Limestone County. H. B. 564, pages 585, 641, 720, 755.
- Amending Secs. 4 and 5 of Act 91, H. 571, approved July 3, 1935, creating office of County solicitor for Choctaw County. H. B. 609, pages 701, 888, 960, 1014.
- Amending Sec. 3 of act approved May 19, 1945, fixing salary of Probate Judge of Houston County. H. B. 645, pages 710, 779, 962, 1014.
- Amending Sec. 7 of Act 341, H. 26, approved July 9, 1945, providing for office of Land Agent. H. B. 651, pages 1901, 1947, 2448, 2468, 2476.
- Amending Sec. 5 of act approved July 29, 1947, establishing Bessemer Civil and Misdemeanor Court. H. B. 652, pages 703, 779, 863, 898.
- Amending Sec. 4 of Act 154, 1947, empowering Water Works Boards to exercise same powers with respect to gas plants, etc. H. B. 658, pages 1170, 1297, 2428, 2444.
- Amending Sec. 1 Act 213, S. 275, approved July 24, 1947, relating to compensation of Superintendent of Education of Limestone County, H. B. 686, pages 849, 923, 961.
- Amending Sec. 8. Act 424, 1947, providing for disposition of revenues from tax. H. B. 692, pages 1507, 1591.
- Amending Sec. 3 Act 115, S. 121, relative to rehabilitation of alcoholics and making appropriation for same. H. B. 708, page 1985.
- Amending Sec. 8 of Act 351, providing for auditing accounts, etc, of public offices, creating Dept. of Examiners of Public Accounts. H. B. 730, pages 1906, 1944.
- Amending Sec. 1 of Act 288, S. 161, approved July 7, 1945, providing supernumerary circuit judges for state. H. B. 745, pages 1059, 1141.

ACTS AMENDED—Continued

- Amending Sec. 1 and 3 of act 361, relative to salary of Tax assessor of Morgan County. H. B. 776, pages 1037, 1147, 1646, 1655, 1676.
- Amending Act 185, H. 498, approved July 24, 1947, placing sheriff of Chambers County on salary basis. H. B. 798, pages 1092, 1150, 1230, 1293.
- Amending Act 30, H. 160, approved June 27, 1947, providing clerk in office of Circuit Court in Chambers County. H. B. 800, pages 1093, 1150, 1222, 1271.
- Amending Sec. 1 of act approved July 7, 1943, providing fees and mileage allowance for handling and feeding insane prisoners. H. B. 818, pages 1165, 1215, 1318, 1363.
- Amending Sec. 4 Act 101, H. 498, approved Oct. 19, 1932, providing for election of County Superintendent of Education of Shelby County. H. B. 823, pages 1165, 1302, 1387, 1420.
- Amending act to abolish bills of exceptions in circuit courts and courts of like jurisdiction, etc. H. B. 827, pages 1758, 2209.
- Amending Sec. 6 of act 694, providing for arrest and eradication of contagious diseases among animals. H. B. 828, pages 1986, 2304.
- Amending Sec. 15 of act approved April 4, 1911, establishing inferior court in lieu of all justices of peace in precinct one in Madison County. H. B. 837, pages 1327, 1544, 1649, 1676.
- Amending Sec. 5 of Act 515, H. 93, establishing State employees' retirement system. H. B. 872, pages 1472, 1640, 2385, 2404, 2409.
- Amending Sec. 1 of Act allowing additional deputy sheriff in Blount Co., H. B. 888, pages 1331, 1436, 1492, 1548.
- Amending Sec. 1 of act prescribing salary of jailer of Blount County. H. B. 889, pages 1331, 1439, 1493, 1549.
- Amending Sec. 1 of act relating to Chief Deputy Sheriff of Blount County. H. B. 890, pages 1332, 1436, 1493, 1549.
- Amending Sec. 25 of act establishing county court of Jackson County, H. B. 924, pages 1464, 1544, 1650, 1677.
- Amending Secs. 1 and 4 of Act 344, as amended by Act 649. H. B. 921, pages 1511, 1591, 1674, 1694.
- Amending Act No. 215, relating to operation of fairgrounds, parks, exhibits, etc., and other places of amusement. H. B. 919, pages 1462, 1545, 1653, 1726, 1828.
- Amending Sec. 37 of Act 573, approved Sept. 19, 1939, as amended, relative to benefits under act for persons employed after certain date by town, city, county or State. H. B. 918, pages 2102, 2204, 2356, 2399.
- Amending Act 232, S. 187, establishing Board of Revenue for Walker County. H. B. 834, pages 1526, 1711, 1888, 1960.
- Amending Sec. 1 of Act 177, approved June 17, 1943, as amended, fixing compensation of Sheriff of Montgomery County. H. B. 941, pages 1522, 1590, 1672, 1695, 1841, 1983, 2063.
- Amending Secs. 16 and 17 of act approved August 24, 1927, relating to Board of Revenue of Barbour County. H. B. 956, pages 1518, 1589, 1671, 1695.
- Amending Act approved September 16, 1947, relating to gasoline tax in counties of 400,000 or more inhabitants. H. B. 968, pages 1613, 1641, 1787, 1833, 1866.
- Amending Secs. 5 and 6 of Act 414, 1947, relating to license tax on cigarettes, etc., in counties having population of 400,000 or more. H. B. 970, pages 1621, 1640, 1724, 1829.
- Amending Act approved July 8, 1943, relating to beverage license tax in wet counties with population of 400,000 or more. H. B. 971, pages 1622, 1640, 1723, 1829.
- Amending Secs. 1 and 12 of act 515, as amended, establishing state employees' retirement system. H. B. 978, pages 1985, 2071.

ACTS AMENDED—Continued

- Amending Sec. 2 of Act 156, H. 129, approved July 15, 1927, providing for election of county superintendent of education for Choctaw County. H. B. 984, pages 1733, 1872, 2058, 2063.
- Amending Act 602, approved June 28, 1940 authorizing Montgomery County Board of Revenue to donate to the support of Museum of Fine Arts. H. B. 991, pages 1668, 1712, 1887, 1960.
- Amending Sec. 3 and repeal Sec. 4 of act relating to election of commissioner for Butler Co. H. B. 1012, pages 1735, 1873, 2130, 2214.
- Amending Act 668, H. B. 760, approved October 8, 1947, relating to registration of voters; providing compensation for Boards of Registrars, etc., in counties of 300,000 or more inhabitants. H. B. 1017, pages 1747, 1872, 2116, 2148.
- Amending Local Act 334 of 1945 Regular Session, as heretofore amended, retirement for city employees, etc. H. B. 1019, pages 1742, 1871, 2117, 2148.
- Amending Sec. 2 of act relative to duties of circuit solicitor of 10th judicial circuit. H. B. 1027, pages 1730, 1871, 2115, 2149.
- Amending Sec. 11 of Act approved July 6, 1945, relative to county-wide civil service system. H. B. 1034, pages 1728, 1869, 2055, 2064.
- Amending act abolishing court of county commissioners of Covington County. H. B. 1041, pages 1848, 1952, 2131, 2215.
- Amending Sec. 1 of Act 183, H. 363, approved March 1, 1937, relative to register in Chancery of Circuit Court. H. B. 1048, pages 1861, 1953, 2133, 2216.
- Amending Act 438, H. 856, approved Sept. 25, 1947, relating to city employees retirement fund for Florence, Ala. H. B. 1060, pages 1858, 1956, 2129, 2216.
- Amending Sec. 3 of Act 247, H. 512, relative to a jury bond in Jefferson County. H. B. 1079, pages 1965, 2071, 2357, 2400.
- Amending Sec. 2 of Act 175, 1943, relating to circuit solicitor of Jefferson County. H. B. 1082, pages 2221, 2303, 2483, 2487.
- Amending Sec. 2 of Act 187, H. 500, approved July 24, 1947, relating to deputy clerk of circuit court of Calhoun County. H. B. 1083, pages 1971, 2070, 2368, 2409.
- Amending Sec. 1 of act approved June 2, 1949, providing expense allowance for Supt. of Education of Marion County, H. B. 1090, pages 2091, 2207, 2350, 2401.
- Amending Secs. 4 and 8 of act relating to inferior court in Blount County. H. B. 1092, pages 2100, 2204.
- Amending Act 162, H. 152, approved August 21, 1923, relating to county treasurer in Chilton County, Alabama. H. B. 1094, pages 2077, 2205, 2340, 2346.
- Amending Sec. 1 of Act 137, approved June 16, 1945, relating to Marengo County Board of Education. H. B. 1116, pages 2225, 2306, 2411, 2435.
- Amending Sec. 8 of act relating to tax on cigarettes. H. B. 1118, pages 2229, 2306.

ACTS REPEALED

- Secs. 1, 6, 17 and 17 of act 661, 1939, session also Secs. 261, 289, 299, 293—Title 26 of 1940 Code—relating to attorneys fees and medical and surgical fees under Workmens Compensation. S. B. 25, page 8.
- Act 478. S. 214, approved July 7, 1945, relating to absentee voting. S. B. 170, page 66.
- Act 478. S. 214, approved July 7, 1945, relating to absentee voting. S. B. 182, page 107.
- Sec. 2 Act 482. H. 71, approved Sept. 25, 1947, relating to making it unlawful to vote where name not on qualified list. S. B. 231, page 179.

ACTS REPEALED—Continued

- Act 710, approved Oct. 9, 1947, relating to State Highway Patrol Retirement Board. S. B. 318, pages 398, 1827, 2262, 2413, 2432, 2496.
- Act 225, H. 86, approved July 7, 1945, relating to conservation department funds. S. B. 351, pages 406-513, 673.
- Act 253, H. 242, approved June 24, 1943, relating to records and reports in Governors office. S. B. 357, page 406.
- Act 253, H. 242, approved July 24, 1943, relating to Division of records and reports. S. B. 442, pages 630, 1024, 1417, 1599, 1680.
- Act 183, H. 62, approved June 18, 1943, Sec. 6 and amending Secs. 2 and 5, creating State Planning Board. S. B. 478, pages 771, 919, 1357, 2272, 2294, 2494.
- Sec. 11, Act 158, H. B. 428, approved June 15, 1943, authorizing public non-profit corporations to distribute electricity. S. B. 646, pages 1867, 1945.
- Sec. 2 Act 482, H. 71, approved Sept. 25, 1947, relative to elector casting vote when name does not appear on qualified list. H. B. 40, page 490.
- Repealing act relating to public hospitals and related facilities, H. B. 144, page 537.
- Sec. 15 A of act relative to Farm to Market Road Act of 1943. H. B. 192, pages 238, 315, 976, 1013.
- Act of 1901 Legislature relative to providing for payment of state witnesses in Butler County. H. B. 788, pages 1159, 1215, 1319, 1363.
- Act 413 of 1943 Legislature, approved July 8, relative to cigarette tax in counties of 140,000 nor more than 400,000 inhabitants. H. B. 870, pages 1243, 1438, 1496, 1548.
- Act 488, S. 296, relative to fine and forfeiture fund for Walker County. H. B. 946, pages 1532, 1713, 1835, 1903.
- Act 579, H. 1010, abolishing fine and forfeiture fund of Walker County, etc. H. B. 947, pages 1533, 1713, 1835, 1903.

ADMINISTRATION AGENCIES.

- Procedures to follow in exercise of rule—order—and decision making authority, and providing for judicial review of their actions for State of Alabama. S. B. 19, page 7.
- Procedures to follow in exercise of rule—order—and decision making authority, and providing for judicial review of their actions for State of Alabama. H. B. 165, pages 1357, 1582.

ADJUTANT GENERAL

- Asst. Adjutant General shall have same military experience as, S. B. 288, pages 339, 417, 815.

AGRICULTURAL FAIRS

- Making appropriation for same. H. B. 428, pages 1986, 2046.

AGRICULTURE AND INDUSTRIES—COMMISSIONER OF

- Requiring legislative approval of rules and regulations promulgated by. S. B. 459, pages 692, 773.

AGRICULTURE AND INDUSTRIES—BOARD OF TRUSTEES

- Appointment by Governor of Hon. Fuller Kimbrell as member of—. Page 2197.

ALABAMA INSTITUTE FOR DEAF AND BLIND—BOARD OF TRUSTEES

- Governor appoints Hon. L. E. Clifford member of—. page 2197.

ALABAMA POLYTECHNIC INSTITUTE

Making appropriation for horticultural research. H. B. 972, pages 1878, 1947, 2438, 2458.

Employing peace officers for protection of property. S. B. 510, pages 1021, 1075, 1154, 1325, 1361, 2490.

"ALABAMA PRACTICE"—McCOY

(Legal Reference Work) acquisition and distribution of and appropriation for that purpose. S. B. 35, page 10.

ALABAMA PUBLIC SERVICE COMMISSION

Relative to rural telephone service. H. B. 784, pages 1268, 1297, 1598, 1606.

Relative to regulation of electric membership corporations. S. B. 291, pages 339.

ALABAMA TURNPIKE COMMISSION

Providing for toll turnpike highway from Tennessee to Florida. H. B. 868, pages 1977, 2308.

ALCOHOLIC BEVERAGES

Prohibiting sale or serving of same on Sunday. S. B. 115, pages 26, 196, 385, 502, 505, 1196.

Making it unlawful to manufacture and transport liquors for beverages purposes, ordering election thereon. S. B. 467, pages 757, 797, 1109.

Levying 5% tax on all spirituous liquors, etc. H. B. 5, page 941.

ALCOHOLIC BEVERAGE CONTROL BOARD

Making it unlawful to sell any alcohol except malt beverages by other than ABC Stores. S. B. 183, page 107.

Making appropriation for—. S. B. 323, pages 399, 664.

Governor appoints Hon. Wm. P. Screws, Chm., Knox McRae and Jap Bryant, members of—. Page 2197.

ALCOHOLIC BEVERAGE CONTROL LAW

Amend Title 29, Sec. 251, 1940 code, relative to funds derived from sale of contraband or forfeited property, etc., H. B. 232, pages 592, 1024, 1082, 2282, 2288, 2298, 2299, 2422, 2489.

ALCOHOLICS

Providing for establishing and maintaining hospital for—. S. B. 86, pages 22, 227, 228.

ALCOHOLISM

Creating Alabama Commission on Alcoholism. S. B. 462, pages 693, 1428.

AMBULANCES AND HEARSEES

Exempting same for provisions of "Alabama Motor Carrier Act of 1939. H. B. 302, pages 298, 416, 463, 508.

AMUSEMENT DEVICES

Providing for privilege license on same manufactured, etc., in Alabama, where game is determined by skill of player. H. B. 636, pages 1351, 1950.

ANNISTON

Creating Policemen's and Firemen's Retirement Fund for—. H. B. 944, page 1511.

For relief of Mrs. Clarence W. Carter by—. H. B. 1073, page 1970.

APPROPRIATIONS

- For relief of W. A. Whitley out of Highway Patrol Fund. S. B. 13, pages 6, 216, 388, 1760, 1805, 2492.
- For School of Nursing at University of Alabama. S. B. 15, page 7.
- For distribution of McCoy's "Alabama Practice." S. B. 35, page 10.
- For Personnel Board and director to employ expert assistance. S. B. 46, pages 14, 47, 68, 2432, 2465, 2497.
- For State Health Dept. in eradication of rats and for control of Brills fever. S. B. 48, page 15.
- To Board of Registrars for additional meeting days. S. B. 104, page 24.
- To Blue and Gray Association. S. B. 113, pages 25, 1586, 2157.
- For Bureau of Investigation and Identification. S. B. 157, page 39.
- For State Health Dept. Laboratory building. S. B. 159, page 39.
- To Board of Health for early diagnosis of cancer. S. B. 160, pages 39, 217, 465, 899, 908, 1197.
- For regional education. S. B. 166, pages 40, 139, 234.
- Making additional appropriation to Building Commission of 1945, merging same with 1940 Building Commission and Alabama Building Corporation. S. B. 172, pages 66, 312, 802, 2276, 2286, 2288, 2494, 2497, 2498.
- For Building Commission. S. B. 227, page 178.
- For State Hospitals. S. B. 239, page 213.
- For Partlow School, S. B. 240, page 213.
- For Educational Trust Fund. S. B. 248, page 214.
- For Education Department for ordinary expenses. S. B. 249, page 214.
- \$35,000 to Public Road and Bridge Fund. S. B. 276, page 291, 1140.
- To construct and maintain a highway right-of-way maintenance project. S. B. 280, pages 306, 418, 1443, 2448, 2479, 2497.
- For administrative expenses Highway Patrol Retirement Board. S. B. 318, pages 398, 1827, 2262, 2413, 2432, 2496.
- For Alcoholic Beverage Control Board operation. S. B. 323, pages 399, 664.
- For use of State Docks. S. B. 347, page 405.
- To Highway Dept. for building and repair of roads, bridges, etc. S. B. 378, page 415.
- For creation of bureau of Investigation and Identification. S. B. 390, page 483.
- For xrays and examination for tuberculosis. S. B. 408, pages 498, 773.
- For Vicksburg Memorial, S. B. 426, pages 548, 638, 1347.
- \$20,000 for creating a Water Improvement Advisory Commission. S. B. 432, pages 591, 1949, 2212, 2434, 2465, 2497.
- For creation of Water Improvement Advisory Commission. S. B. 431, pages 591, 917, 1553, 1906, 1940, 2493.
- For vaccination of cattle against Bangs disease. S. B. 463, pages 693, 773, 1444, 2397, 2496.
- For further vocational education. S. B. 461, pages 692, 2208, 2351.
- For support of Alabama Vocational School for Girls. S. B. 568, pages 1266, 1586.
- For Southern Industrial Institute. S. B. 569, pages 1266, 1586.
- For School of Dentistry, University of Ala. S. B. 575, page 1295.
- School of Nursing, University of Alabama. S. B. 578, pages 1364, 1487, 1595, 2339, 2398, 2496.
- For division of State Parks for development of Little Mountain State Park. S. B. 598, page 1426.
- For relief of Mrs. Ruth Kersh. S. B. 591, pages 1426, 1948, 2111, 2469, 2478, 2497.
- For Supreme Court. S. B. 648, pages 1941, 2046.
- To Court of Appeals. S. B. 649, pages 1942, 2046.

APPROPRIATIONS—Continued

- To office of attorney general. S. B. 650, pages 1942, 2046.
To State Dept. of Health. S. B. 651, pages 1942, 2046, 2212, 2434, 2465, 2497.
To Division of Service of Dept. of Finance. S. B. 653, pages 1943, 2046, 2211, 2434, 2465, 2497.
To office of Secy. of State. S. B. 654, pages 1943, 2046.
For Richmond Pearson Hobson Memorial Board. S. B. 656, pages 1943, 2046.
To Division of Control and Accounts, Dept. of Finance. S. B. 657, pages 1944, 2047, 2211, 2416, 2433, 2496.
To State Board of Education for establishment of Trade School at Napier Field. S. B. 576, pages 1298.
To Legislative Reference Service. S. B. 658, pages 1944, 2046, 2210, 2434, 2465, 2497.
For Vicksburg Memorial, H. B. 1, pages 715, 773, 1192, 1221, 1238.
Southern Governors Conference in securing equalized freight rates. H. B. 8, page 2267.
For relief of Dorsey Brothers, Coffee County, H. B. 19, pages 537, 637, 731, 752.
For Alabama Vocation School for Girls. H. B. 44, pages 1747, 1827, 2430, 2455.
For expenses of Executive, Legislative and Judicial Depts of the State and interest on public debt and public schools. H. B. 52, pages 1610, 1702, 1909, 1961, 1980, 1987, 2143, 2154, 2216, 2335.
Making appropriation to reimburse county for expenses in holding elections. H. B. 107, page 135.
For support of the Council of State Governments. H. B. 134, pages 1980, 2046.
Additional appropriation for regional education. H. B. 133, pages 296, 418, 461, 507.
To State Supt. of Education for Tuskegee Institute. H. B. 190, pages 1746, 1827, 2341, 2345, 2372.
For support of Southern Industrial Institute. H. B. 191, pages 1747, 1827, 2438, 2457.
For publication of governor's proclamation concerning proposed constitutional amendments. H. B. 308, pages 533, 1587.
\$10,000 for restoring Fort Morgan. H. B. 315, pages 1908, 1947, 2484, 2489.
To Partlow School for constructing and equipping a building. H. B. 327, page 2247.
To Building Commission \$900,000, and providing for expenditure thereof. H. B. 326, page 2246.
To Dept. of Corrections and Institutions. H. B. 395, pages 1986, 2209.
Annual appropriations to higher institutions of learning. H. B. 380, pages 1593, 1702, 2174, 2253, 2278, 2292, 2296, 2378, 2410.
For Agricultural fairs. H. B. 428, pages 1986, 2046.
For relief of Joel a Bamberg. H. B. 640, pages 1472, 1586, 1726, 1756.
For repair of Capitol roof. H. B. 899, pages 1467, 1487.
To Alabama Polytechnic Institute for Chilton County horticultural area and North Alabama Horticultural Area. H. B. 972, pages 1878, 1947, 2438, 2458.
Additional appropriation to Dept. of Public Welfare. H. B. 1007, 1756, 2209.
To State Training School for Girls. H. B. 1058, pages 1984, 2047.
Additional appropriation to Dept. of Health for fiscal years 1949-50 and 1950-51. H. B. 1126, pages 2245, 2305.
Additional appropriation to Legislative Reference Service for fiscal years 1949-50 and 1950-51. H. B. 1120, pages 2267, 2304.
Additional appropriation to Dept. of Examiners of Public Accounts

APPROPRIATIONS—Continued

for fiscal years 1949-50 and 1950-51. H. B. 1131, pages 2244, 2305, 2428, 2446.

Additional appropriation to Dept. of Finance for fiscal years ending 1950 and 1951. H. B. 1135, pages 2246 and 2305.

ARCHIVES AND HISTORY—BOARD OF TRUSTEES

Transmittal by Governor of Board of Trustees elected. Hon. L. B. Rainey, Hon. Walter W. Bankhead, Hon. George Bliss Jones, Hon. Hugh Morrow. page 2199.

ARMED FORCES

Relating to appointing a conservator for estate or property of a person while serving in armed forces, etc. H. B. 13, pages 128, 225.

Relating to providing for receiving as prima facie evidence in any court, official findings, records, reports or certified copies thereof of death. H. B. 14, pages 128, 224.

ARMORIES

Providing for supervision and construction of same by Building Commission. S. B. 446, pages 631, 775, 1407, 2275, 2294, 2492.

ARMORY COMMISSION

Conferring additional powers on—. H. B. 790, pages 1130, 1267, 1406, 1425.

ATTORNEY GENERAL

Imposing extra duties on and providing for compensation. S. B. 192, page 136.

Imposing extra duties and providing for compensation for same and assistants. S. B. 572, pages 1294, 1373, 1883, 2120, 2194, 2493.

Appropriation to same. S. B. 650, pages 1942, 2046.

AUBURN

Establishing employees pension and relief system for city of—. H. B. 731, pages 997, 1108, 1273, 1291.

AUTAUGA COUNTY

Authorizing circuit clerk to appoint a deputy clerk. H. B. 829, pages 1243, 1302, 1386, 1420.

BALDWIN COUNTY

For relief of Cleveland Rice, H. B. 1040, pages 1861, 1952, 2058, 2065.
For relief of Lillie Mae, Willie and James Edward White. H. B. 1039, pages 1863, 1952, 2057.

To abolish the office of Deputy Circuit Solicitor. H. B. 852, pages 1343, 1642, 1726, 1756.

For relief of Lloyd Martin. H. B. 833, pages 1341, 1437, 1499, 1547, 1594.

For relief of E. F. Stuart, H. B. 832, pages 1342, 1437, 1498, 1547, 1594.

Relative to excise tax on persons in business of selling gasoline, etc.

H. B. 830, pages 1334, 1439, 1499, 1547, 1593.

BALLOTS

Prohibiting the numbering of—. S. B. 207, page 173.

BANGS DISEASE

Providing for vaccination of animals against same, making an appropriation therefor. S. B. 463, pages 693, 773, 1444, 2347, 2397, 2496.

BANKS

- Exempting same from liability for paying postdated checks. S. B. 127, pages 29, 140, 381, 1032, 1080, 1197.
- To provide for review by Banking Board and State Courts of acts and decisions of Supt. of Banks. S. B. 135, page 30.
- Restricting use of words "Bank", "Banking," and "Banker" in foreign language when used in business in the State. S. B. 143, pages 37, 140, 381, 1032, 1080, 1197.
- Requiring annual report of—. S. B. 150, page 38.

BASTARDY

- Relative to obligations of father of child born out of wedlock; establishing procedure for enforcement of obligations. S. B. 18, pages 7, 310, 865.

BESSEMER

- Abolishing Board of Commissioners of—. H. B. 966, pages 1614, 1641, 1725, 1829.

BIBB COUNTY

- Providing additional duties and compensation for members of Boards of County Commissioners. H. B. 1009, pages 1734, 1872, 2058, 2064.

BIRDS

- Prohibiting injurious methods of capturing or killing. S. B. 337, pages 403, 643.

BIRMINGHAM

- To alter corporate limits of—. S. B. 484, pages 877, 1150, 1225, 1469, 1481, 2491.
- Abandoning certain parks in the survey of Oakwood Estates in—. S. B. 607, pages 1542, 1591, 1670, 1838, 1904, 2493.
- Rearranging corporate limits of—. S. B. 647, pages 1941, 2067, 2240, 2416, 2433, 2496.
- Relative to vacating, annulling the dedication of all streets, etc, into, through, over, etc. certain property in—. H. B. 699, page 854, 971, 1056, 1078.
- To alter corporate limits of—. H. B. 752, pages 1247, 1303, 2106.
- Relative to vacating and abandoning certain parks in the Survey of Oakwood Estates. H. B. 858, page 1264.

BIRTHS

- Registration of same. S. B. 471, pages 770, 1429.

BLAYLOCK, Mrs. Lora

- For relief of same as compensation for death of her husband in DeKalb County. H. B. 375, pages 356, 420, 458, 508.

BLOUNT COUNTY

- Abolishing Commissioners Court and establishing Board of Revenue in lieu of. S. B. 642, pages 1822, 1958, 2128, 2330, 2371, 2495.
- To abolish fine and forfeiture fund of—. H. B. 931, pages 1524, 1590, 1673, 1694.
- Abolishing Commissioners Court and establishing Board of Revenue in lieu of. H. B. 1091, pages 2096, 2203.

BLUE AND GRAY ASSOCIATION

- To appropriate \$10,000 to same. S. B. 113, pages 25, 1586, 2157.

BOATS

- Providing safety measures for rented boats, licenses therefor and disposition of revenue from said licenses. S. B. 45, page 14.
- Safety measures for outboard and inboard motor boats, providing penalty for violation thereof. H. B. 698, pages 2247, 2309.
- Providing safety measures for rented boats, licenses therefor and disposition of revenue from said licenses. H. B. 700, pages 2248, 2309.

BODIES

- Relating to bequests of bodies or organs thereof for scientific purposes by persons 21 years of age. S. B. 102, pages 24, 49, 297.
- Relating to bequests of bodies or organs thereof for scientific purposes by persons 21 years of age. H. B. 2, pages 196, 223, 298, 304.

BONDS

- Making it unlawful for party of whom bond, etc., is required to agree with surety, etc., for joint control of money, etc. S. B. 511, pages 1021, 1142.
- Making it unlawful for party of whom bond, etc., is required to agree with surety, etc., for joint control of money, etc. H. B. 810, pages 1747, 1827, 2442, 2458.

BOUTWELL, HON. ALBERT

- Point of Personal Privilege relative to delivery of S. B. 172 to Governor, page 2288.

BRIDGE COMMISSION

- Relative to construction of highways, causeways, overpasses and viaducts, activating the Commission. S. B. 384, pages 438, 514, 747, 819, 969, 989, 926, 937, 953, 958, 1066, 1077.

BURGLARY

- Making it unlawful to enter dwellings, etc., without legal right—guilty of burglary in 3rd degree. S. B. 217, pages 176, 416.

BUTLER COUNTY

- Relative to County Superintendent of Education of—. H. B. 654, pages 787, 888, 945, 1015.
- Relative to County Board of Education of—. H. B. 655, pages 785, 888, 945, 1015.
- Relative to publishing monthly receipts, etc., by Court of County Commissioners of—. H. B. 787, pages 1158, 1217, 1320, 1363.
- To alter boundaries of Greenville. H. B. 1067, pages 1967, 2069, 2411, 2435.

CALHOUN COUNTY

- Relative to County Court of—. H. B. 462, page 525.
- Relative to compensation of members of County Board of Education. H. B. 799, pages 1087, 1150, 1231, 1294.
- Consolidating offices of Circuit Clerk and Register of Chancery Court. H. B. 1072, pages 1969, 2070, 2367, 2409.

CAMPBELL, A. Luty

- For relief of—. H. B. 610, pages 707, 779, 959, 1014.

CANCER

- Providing for early diagnosis of by Board of Health and making appropriation for same. S. B. 160, pages 39, 217, 465, 899, 908, 1197.

CATTLE

- Requiring registration of brands with Dept. of Agriculture and Industries. S. B. 532, pages 1107, 1299.

CHAMBERS COUNTY

- Relative to meeting places of Board of Registrars. H. B. 369, pages 352, 419, 464, 508.
Abolishing fine and forfeiture fund. H. B. 895, pages 1404, 1436, 1488, 1549.

CHECKS

- Prohibiting issuance of papers appearing to be checks—drafts or bills of exchange, and which are not such. S. B. 44, pages 14, 140, 375, 1032, 1084.

CHEROKEE COUNTY

- Relative to pay for Board of Education. H. B. 370, pages 352, 419, 459, 508.
Relative to duties and expense allowance of County Supt. of Education. H. B. 371, pages 354, 419, 458, 508.
Establishing Law and Equity Court. H. B. 456, pages 526, 553, 731, 753.
Relative to Chief Deputy Sheriff. H. B. 458, pages 522, 554, 732, 754.
Making clerk of Circuit Court ex-officio clerk of Juvenile Court. H. B. 554, pages 582, 639, 738, 754.
Imposing additional duties upon sheriff. H. B. 555, pages 580, 639, 737, 754.
Imposing additional duties upon tax collector. H. B. 556, pages 579, 639, 740, 754.
Imposing additional duties upon chairman and members of Board of Revenue. H. B. 557, pages 577, 640, 740, 754.
Amending Act 250, 1939, relative to establishing Board of Revenue. H. B. 559, pages 574, 640, 741, 754.
Imposing additional duties upon tax assessor. H. B. 558, pages 575, 640, 740, 754.
Transferring jurisdiction of juvenile cases from Law and Equity Court to Probate Court. H. B. 560, pages 572, 640, 742, 755.
Authorizing County Governing Body to levy 1¢ gasoline tax. H. B. 657, pages 791, 888, 959, 1015, 1173, 1272.
Imposing additional duties upon county solicitor. H. B. 656, pages 790, 888, 959, 1015.

CHILDREN

- Punishment for father who fails to support. H. B. 726, pages 1406, 1583.
Requiring examination of those having congenital or acquired malformations by Board of Health. S. B. 198, pages 138, 223, 387, 899, 909, 1197.
Making it a felony for father to fail or refuse to support children in compliance with terms of court order. H. B. 126, page 429.

CHILTON COUNTY

- Establishing Law and Equity Court. S. B. 470, pages 764, 887, 1011.
Imposing additional duties and compensation for Supt. of Education. S. B. 553, pages 1176, 1216, 1315, 1468, 1482, 2062, 2491.
Amending Sec. 4 of act creating office of county solicitor, 1939 session. H. B. 680, page 838.
Requiring Commissioners Court to publish minutes and providing for payment of same. H. B. 681, pages 840, 922, 1010, 1016.
Establishing Law and Equity Court. H. B. 682, pages 841, 922, 1011, 1016.
For relief of Bertha and O. B. Martin for damage done to their store by county machine. H. B. 1101, pages 2078, 2205, 2349, 2402.

CHIROPODY

- Further regulating practice of—. H. B. 477, pages 1111, 1660.

CHOCTAW COUNTY

Dividing county into four forest protection districts, creating office of Chief Forest Warden. H. B. 734, pages 995, 1216, 1317, 1362.
Levying license tax on cigarettes. H. B. 1113, pages 2221, 2306, 2423.
Relative to salaries of clerks for Tax Assessor and Tax Collector. H. B. 1044, pages 1962, 2068, 2367, 2409.

CHURCHES

Exempting churches from sales tax on building materials. S. B. 526, page 1104.
Exempting storage and use of building materials used by churches for construction from state use tax. S. B. 527, page 1104.

CIGARETTES

Prohibiting unfair sales of—. S. B. 23, pages 8, 226.

CIRCUIT CLERKS

Providing for fees. S. B. 486, page 887.
Relative to duties of—. S. B. 296, page 395.
Fixing salaries of— in counties of 75,000 and not more than 113,000 inhabitants. H. B. 594, page 990.
Fixing salaries of same in counties of 75,000 and not more than 113,000 inhabitants. H. B. 593, page 990.

CIRCUIT JUDGES

Supplementing salaries of same in judicial circuits composed of three counties having only one circuit judge. H. B. 78, pages 296, 375, 419, 457, 507.
Relating to salaries paid circuit judges by state; supplementing of same by counties in certain judicial circuits. H. B. 118, pages 1468, 1546.

CIRCUIT SOLICITORS

Imposing extra duties on—. S. B. 234, page 195.
Additional duties and compensation for deputy circuit solicitor of 10th judicial circuit. S. B. 491, pages 913, 1586, 1656, 1679, 2348, 2398.
Imposing extra duties on same. H. B. 313, pages 1267, 1295, 1802, 1865.
Additional duties, etc. of same in judicial circuits composed of only one county having a population of 66,000 and not more than 75,000. H. B. 443, pages 478, 643, 724, 733, 753.

CITIES

Requiring public utilities in cities of 20,000 or more to establish and maintain cashiers offices. S. B. 108, page 25.
Authorizing cities to establish a sinking fund for payment of unmatured bonds. S. B. 475, pages 771, 1025.
Authorizing cities with population of two hundred thousand or more to assess privately owned land in park assessment districts for improvement, etc. S. B. 587, pages 1412, 1435, 1490, 2450, 2479, 2497.
Providing for manner of election of governing bodies in cities of 50,000 and not more than 78,500. S. B. 616, pages 1636, 1708, 1884, 2104, 2193, 2493.
Relating to designation of members of governing bodies in cities of 50,000 and not more than 78,500 population. S. B. 617, pages 1636, 1708, 1884, 2104, 2194, 2493.
Relating to compensation of governing bodies in cities of 50,000 and not more than 78,500 population. S. B. 618, pages 1637, 1709, 1885, 2105, 2194, 2493.
Providing for certain employees in cities of 50,000 and not more than 78,500 population to be entitled to pension and retirement bene-

CITIES—Continued

- fits. S. B. 619, pages 1637, 1709, 1885, 2105, 2194, 2494.
- Providing referendum to determine how members of city council shall be elected. S. B. 641, pages 1822, 1958.
- Relative to cities having population exceeding 50,000 and not exceeding 78,000 to make certain appropriations for care of sick or infirmed persons, etc. H. B. 430, pages 428, 642, 719, 752.
- Relative to designation of mayor to perform additional services for water works board in cities of 35,000 and less than 75,000 population. H. B. 431, pages 428, 633, 717, 753.
- Authorizing cities to establish sinking fund for payment of unmatured bonds, etc. H. B. 713, pages 1096, 1297, 1770, 1865.
- Relative to compensation of members of governing bodies in cities of 50,000 population. H. B. 1051, pages 1963, 2068.
- Prescribing rules and regulations for election of members of governing bodies in cities of 50,000 population. H. B. 1052, pages 1842, 1950, 2351.
- Providing for name and designation of members of governing bodies; providing for selection of employees in cities of 50,000 population. H. B. 1053, pages 1864, 1955, 2351.
- Providing park and recreational facilities in cities of 50,000 population. H. B. 1054, pages 1842, 1956, 2351.
- Relative to employees pension and retirement system in cities of 50,000 and not more than 78,500. H. B. 1055, pages 1962, 2068, 2351.
- Providing for referendum to determine manner of election of city council in cities of 22,500 population. H. B. 1111, pages 2227, 2305.
- Creating election commission in cities of 20,000 inhabitants and not more than 30,000. H. B. 1037, pages 1727, 1869, 2055, 2065.

CIVIL SUITS.

- To provide for services of process in civil suits upon non-residents; appointing Secy. of State as agent for non-resident. S. B. 120, pages 26, 46, 208, 211, 659, 684, 1196.

CLARKE COUNTY

- Relating to clerks in tax collectors office. H. B. 205, pages 240, 487, 507.
- Relating to clerks in tax assessors office. H. B. 207, pages 241, 340, 486, 507.
- Regulating issuance of warrants of arrest returnable to circuit court or inferior court. H. B. 706, page 857.
- Creating office of county solicitor. H. B. 721, pages 1508, 1951, 2352, 2399.
- Abolishing office of deputy solicitor. H. B. 722, pages 1510, 1951, 2353, 2399.

CLAY COUNTY

- Validating certain acts of county board of Education in transfer and expenditure of school funds, etc. H. B. 677, pages 789, 888, 946, 1016.

CLEBURNE COUNTY

- For relief of Henry Boyd. H. B. 911, pages 2135, 2208, 2354, 2399.

CLEMENTS, Clifton E.

- For relief of—. H. B. 347, pages 1759, 1948, 2365, 2408.

CLINICAL LABORATORIES

- To regulate same and provide for licensing of—, directors, etc., to control possession or cultivation of bacteria. S. B. 316, pages 398, 520.

COCHRANE BRIDGE LAND

Prohibiting official of State of Alabama from entering into any lease or other rental agreement with third parties any land belonging to the State on U. S. Highway 90. H. B. 85, pages 228, 921.

CODE AMENDED

- Sec. 14, Title 1, relating to re-classification date based on Federal Census. H. B. 696, pages 1096, 1430.
- Art. 4, Chap. 1, Title 2—Agriculture fund. S. B. 358, pages 407, 513, 727.
- Sec. 129, Title 2,—permit fees of mutual farming and trucking associations. S. B. 644, page 1867.
- Sec. 650, Title 2, Alabama Extension Service. S. B. 208, pages 173, 773.
- Sec. 660, Title 2, S. B. 422, pages 547, 773, 963, 1605, 1625, 2492.
- Sec. 3 Title 5, S. B. 136, pages 30, 218, 480, 1123, 1129, 1198, 1349, 1350, 1361, 2490.
- Secs. 4, 6, 9, 10 Title 5 and Sec. 21 Title 55. S. B. 137, pages 30, 218, 468, 1032, 1080, 1197.
- Sec. 133, Title 5. S. B. 165, page 40.
- Sec. 5, Title 7—recording of documents of circuit court. S. B. 38, pages 10, 45, 150, 658, 683, 1196.
- Sec. 150 Title 7, S. B. 420, page 546.
- Sec. 150 Title 7. H. B. 91, pages 129, 917.
- Sec. 188, Title 7. S. B. 141, pages 36, 418.
- Sec. 265, Title 7 relative to demanding or waiving trial by jury. H. B. 572, pages 1124, 1701.
- Sec. 370, Title 7 "The Newspaper Privilege Law." S. B. 110, pages 25, 225, 1154, 1457, 1481, 2491.
- Sec. 477 Title 7, H. B. 70, pages 654, 917.
- Sec. 192, 193, Title 7, services on foreign corporations. S. B. 55, pages 16, 310.
- Sec. 491, Title 7, perpetuating testimony of witnesses. S. B. 4, pages 5, 45, 157, 654, 683, 1196.
- Sec. 509, Title 7, certification of court costs and fees in certain counties by clerks and registers, etc. H. B. 759, pages 1034, 1146, 1223, 1270.
- Secs. 625, 652, 653, 654, 656, 661, 662, 663, 673, 674, 683, 685, 686, 687, 689, 691, 692, 693—Title 7, increasing homestead exemptions. H. B. 125, pages 1345, 1583.
- Sec. 626, Title 7. H. B. 179, pages 196, 311.
- Sec. 630, Title 7 relative to exemptions of wages, salaries of employees or laborers in State. S. B. 167, pages 40, 224, 1283, 2283, 2293, 2494.
- Sec. 708, Title 7. H. B. 180, pages 196, 311.
- Sec. 702, Title 7, setting aside homestead exemption to widow and minor children. H. B. 824, page 1345.
- Sec. 726, Title 7. H. B. 1038, pages 2266, 2303.
- Sec. 764, Title 7, appeals from decisions on motions for new trials. S. B. 51, pages 15, 44, 132, 434, 437, 1195.
- Sec. 756, Title 7. S. B. 53, pages 15, 44, 131, 433, 437, 1195.
- Sec. 1035, Title 7—garnishment of salaries of public officials and employees. H. B. 307, pages 1168, 1430, 2486, 2498.
- Sec. 1036, Title 7. H. B. 306, pages 1168, 1430, 2485, 2489.
- Secs. 1116, 1117, 1118, 1121, 1122, 1123, 1126, and repealing Sec. 1128 through 1130, of Art. 2 Chapt. 32, Title 7. H. B. 322, page 1058.
- Secs. 5, 8, 9, 10, 11, 15, 17, 18, 125, 173 and 184, Title 8. Dept. of Conservation. S. B. 332, page 402.
- Secs. 5, 8, 9, 10, 11, 15, 17, 125, 173, 184, Title 8—Dept. of Conservation. H. B. 441, pages 1288, 1588.
- Sec. 13, Title 8. S. B. 338, page 403.

CODE AMENDED—Continued

- Secs. 29 and 42 Title 8. H. B. 707, pages 1984, 2309.
Sec. 31, Title 8 and repealing Secs. 30 and 33. S. B. 333, page 402.
Sec. 69, Title 8. H. B. 442, page 1907, 2067.
Sec. 85, Title 8. H. B. 344, page 902, 921.
Sec. 86, Title 8. S. B. 339, pages 403, 643.
Sec. 86, Title 8. H. B. 423, pages 807, 1025, 2473, 2486, 2487.
Sec. 87, Title 8. H. B. 417, pages 797, 1025, 2471, 2486.
Sec. 87, Title 8. S. B. 334, page 402.
Sec. 91, Title 8—relative to licensing the capture of fur bearing animals. H. B. 413, pages 797, 1588.
Sec. 154, Title 8. S. B. 548, pages 1137, 1589, 1670, 2414, 2464, 2496.
Sec. 183, Title 8—State Park Fund. S. B. 355, pages 406, 513, 675.
Sec. 202, Title 8—State Forestry Fund. S. B. 354, pages 406, 513, 674.
Sec. 70 (7) Title 10—stockholders meetings of corporations within and without the State. H. B. 808, pages 1324, 1428, 2427, 2445.
Sec. 70 (7) Title 10—stockholders meetings of corporations within and without the State. H. B. 16, pages 129, 311, 746, 782.
Sec. 169, Title 10. H. B. 411, pages 533, 633, 804, 831.
Sec. 169, Title 10. H. B. 871, pages 1613, 1702, 2366, 2409.
Sec. 192, Title 10—foreign corporations. S. B. 56, pages 16, 310.
Sec. 29, Title 11, fees allowed probate judges. H. B. 952, pages 1961, 2071.
Sec. 46, Title 11—attendance of witnesses. S. B. 447, pages 631, 915.
Sec. 96, Title 11—fees of justices of peace in criminal cases. H. B. 426, pages 901, 1702.
Sec. 99, Title 11, fees of jurors. S. B. 61, page 16.
Sec. 4, Title 12. S. B. 421, pages 547, 921.
Sec. 4, Title 12. H. B. 647, pages 1122, 1304, 2437, 2458.
Sec. 238, Title 12. S. B. 580, pages 1365.
Secs. 31, 32, 33, Article II, Title 13—Supernumerary judges S. B. 592, pages 1426, 1546.
Secs. 31, 32, 33, Art. II, Title 13. S. B. 282, page 306.
Secs. 31-33, Title 13. S. B. 62, pages 16, 44, 131, 655, 683, 876, 1114, 1156, 1168, 1196, 1198.
Sec. 57, Title 13. S. B. 396, page 496.
Sec. 173, Title 13. H. B. 473, pages 572, 633, 1722, 1756.
Sec. 186, Title 13—bailiffs for grand jury and circuit courts. S. B. 11, page 11, 45, 150, 1121, 1128, 1197.
Sec. 187, Title 13. H. B. 955, pages 1521, 1589, 1672, 1695.
Sec. 188, Title 13. S. B. 256, pages 215, 416, 463, 654, 684, 1196.
Sec. 190, Title 13—appointment of special circuit judges. S. B. 443, pages 631, 774, 1387.
Sec. 191, Title 13. S. B. 444, pages 630, 774, 1408.
Sec. 199, Title 13. H. B. 1032, pages 1729, 1870, 2112, 2137.
Sec. 213, Title 13, duties of registers and documents recorded by photostat machines. S. B. 40, pages 11, 44, 149, 658, 683, 1196.
Sec. 253, Title 13, as amended. S. B. 492, pages 913, 1586.
Sec. 253, Title 13. H. B. 1114, pages 2228, 2303, 2474, 2487.
Sec. 257, Title 13—salaries of deputy solicitors. S. B. 191, pages 136, 309, 346, 469, 505, 1196.
Sec. 276, Title 13. H. B. 760, pages 1034, 1146, 1224, 1270.
Sec. 284, Title 13, H. B. 15, pages 128, 515.
Sec. 380, Title 13, appointment of clerks in juvenile courts. S. B. 541, pages 1134, 1216, 1380, 2416, 2432, 2496.
Sec. 9, Title 14. H. B. 779, pages 2266, 2303.
Sec. 199, Title 14. S. B. 317, pages 398, 516, 1068.
Sec. 207, Title 14. S. B. 43, pages 11, 44, 133, 341, 424, 1122, 1129, 1198.
Sec. 275, Title 14—relating to lotteries. H. B. 61, pages 151, 1022.
Sec. 388 and Sec. 390, Art 2, Chapt. 67, Title 14. H. B. 617, pages 1979, 2067.

CODE AMENDED—Continued

- Sec. 421, Title 14, as amended. H. B. 711, pages 1067, 1141, 2447, 2462.
 Sec. 71, Title 15. S. B. 364, pages 410, 516.
 Sec. 201, Chapt. 9, Title 15, as amended. S. B. 625, page 1660.
 Sec. 201, Chapt. 9, Title 15, as amended. H. B. 1047, pages 1907, 1945.
 Sec. 207, Title 15—effective of undertaking of bail and the extent to which it binds the parties thereto. S. B. 437, pages 625, 915.
 Sec. 305, Title 15. S. B. 6, pages 5, 45, 151, 658, 683, 1196.
 Sec. 369, Title 15, appeals in habeas corpus cases. S. B. 71, pages 18, 43, 112, 382, 393, 1195.
 Chapt. 9, Title 15. H. B. 233, pages 204, 225, 746, 752, 939, 988.
 Chapt. 9, Title 15, as amended. H. B. 1110, pages 2087, 2206.
 Chapt. 9, Title 15, H. B. 1087, pages 2091, 2206, 2369, 2373.
 Chapt. 9, Title 15. H. B. 1023, pages 1759, 1871, 2113, 2136, 2214, 2415, 2455.
 Sec. 17, Title 17, residence for purposes of voting. S. B. 201, page 138.
 Sec. 17, Title 17. S. B. 609, page 1581.
 Sec. 17, Title 17. H. B. 826, pages 2135, 2209.
 Sec. 26, Title 17—meetings of Boards of Registrars. S. B. 315, page 397.
 Sec. 33, Title 17, qualifications to vote. S. B. 533, pages 1108, 1266.
 Sec. 38, Title 17, as amended, lists of qualified voters. S. B. 79, 21, 2209, 2351.
 Sec. 44, Title 17, time for purging lists of registered voters. S. B. 203, page 138.
 Sec. 92, Title 17—voting machines. S. B. 185, page 135.
 Sec. 92, Title 17, H. B. 253, pages 530, 776, 2328.
 Sec. 102, Title 17, preliminaries to opening the polls. S. B. 205, page 139.
 Sec. 102, Title 17, relating to preliminaries to opening polls where voting machines are used. H. B. 220, pages 784, 2210, 2368, 2408.
 Sec. 107, Title 17, voters instruction and assistance at polls. S. B. 202, page 138.
 Sec. 107, Title 17, instruction and assistance to voters at polls. H. B. 221, pages 784, 2210, 2363, 2408.
 Sec. 111, Title 17, time of opening and closing polls. S. B. 465, pages 695, 1546, 1647, 1976, 1984, 2248, 2269, 2298, 2319, 2493, 2495.
 Sec. 120-125 Title 17—election officials. S. B. 77, page 20.
 Sec. 126, Title 17. Poll watchers and their duties. S. B. 76, page 20.
 Sec. 166, Title 17, preparation of ballots for elections on constitutional amendments. H. B. 171, page 490.
 Art. 20, Chapt. 1, Title 17, relative to placing names of candidates of political parties for president and vice president on ballots in elections for president and vice president electors. S. B. 80, pages 21, 521.
 Sec. 226, Title 17. S. B. 393, pages 486, 521.
 Sec. 226, Title 17. H. B. 565, pages 900, 1701.
 Sec. 272, Title 17, limitation of election campaign expenditures. S. B. 32, pages 10, 341.
 Secs. 31-34, 36, 38, 40, 43 and 46, Chapt. 3, Title 18, relative to non-profit membership cooperations furnishing telephone service. Providing for additional compensation for members of Alabama Public Service Commission. S. B. 494, pages 914, 1153, 1644.
 Sec. 10, Title 20, regulation of sales of merchandise in bulk. H. B. 88, pages 148, 310, 1346, 1374, 1420.
 Chapt. 8, Title 21. H. B. 12, pages 128, 633.
 Sec. 109, Title 21, removal of property of minors residing without State. S. B. 64, pages 17, 43, 130, 658, 684, 1196.
 Sec. 110, Title 21, mode of obtaining authority for removal of property of minors residing without the State. S. B. 65, pages 17, 43, 112, 747, 756, 1197.

CODE AMENDED—Continued

- Sec. 134, Title 21, relating to settlement of guardians. H. B. 18, pages 129, 224.
- Sec. 9, Title 22, as amended. S. B. 16, pages 7, 49, 373, 455, 899, 907, 1197.
- Secs. 19, 22, 24, 25, 26, 27, 33, 34, 37, 38, 39, 40 and 42, Title 22, Public Health and Vital Statistics. S. B. 413, pages 501, 887.
- Sec. 95, Title 22, Premarital physical examinations. S. B. 101, pages 24, 49, 299, 621, 734, 745, 831, 908, 1196, 1197.
- Sec. 193, Title 22, H. B. 1117, pages 204, 220, 724, 752.
- Sec. 221, Title 22, Milk control board. S. B. 342, pages 404, 512, 668.
- Sec. 2 of Title 23, relating to Highway Director. H. B. 942, page 1895.
- Sec. 9, Title 23, Highway Dept. records and personnel. S. B. 280, pages 415, 637, 993.
- Sec. 15, Title 23, State Highway Fund. S. B. 381, pages 415, 638, 993.
- Sec. 17, Title 23, Agreements with other states as to bridges across rivers, etc., forming boundary of State of Alabama. S. B. 103, pages 24, 223, 726, 1457, 1481, 1684, 1698, 1721, 2491, 2492.
- Sec. 25, Chapt. 1, Title 23. H. B. 231, pages 533, 776, 1280, 1291.
- Chapt. 5, Title 26, Art. 2 A, Workman's Compensation Act. H. B. 82, pages 1357, 1431.
- Sec. 8, Title 26, Board of Appeals of Industrial Relations. S. B. 238, pages 213, 421, 1185.
- Sec. 8, Title 26, Board of Appeals of Dept. of Industrial Relations. H. B. 383, pages 645, 771, 1156, 1218.
- Sec. 185, Title 26, Unemployment compensation. S. B. 279, pages 306.
- Sec. 191, Title 26, Unemployment compensation. S. B. 241, pages 213, 510, 1272.
- Sec. 191, Title 26, Unemployment compensation. H. B. 381, pages 661, 775, 1275, 1291.
- Sec. 194, Title 26, Unemployment compensation. S. B. 139, pages 31, 635, 1763, 2103, 2191, 2493.
- Chapt. 5, Title 26, compensation for pneumoconiosis, S. B. 27, page 9.
- Sec. 204, Title 26, unemployment compensation. S. B. 156, pages 39, 1373.
- Sec. 204, Title 26, as amended, unemployment compensation. H. B. 487, pages 110, 1141, 1788, 2103.
- Sec. 213, Title 26, as amended, unemployment compensation. S. B. 138, pages 30, 635, 1761, 2103, 2191, 2493.
- Sec. 214, Title 26, as amended, unemployment compensation. S. B. 140, pages 31, 776, 1765, 2104, 2192, 2493.
- Sec. 237, Title 26. S. B. 242, pages 213, 510, 1272.
- Sec. 237, Title 26, H. B. 382, pages 645, 777, 1274, 1291.
- Secs. 261, 262, 269, 279, 283, 287, 289, 293, 299 and 301, Title 26, as amended Workmens Compensation—attorneys fees. S. B. 3, pages 4, 45, 157, 182, 297, 303, 1195.
- Secs. 279, 283, 287, 289, 293, Title 26, Benefits payable under Workmens Compensation. S. B. 20, page 7.
- Secs. 279, 283, 287, 301, Title 26. S. B. 26, page 9.
- Sec. 283, Title 26, as amended, Workmens Compensation. S. B. 571, pages 1266, 1299, 1374, 2265, 2296, 2495.
- Sec. 292, Title 26, waiting periods for payment of workmens compensation. S. B. 430, pages 591, 635.
- Sec. 4, Title 27, relating to adoption of children. S. B. 169, pages 66, 227.
- Sec. 6, Title 27, adoption of a minor child by stepfather or stepmother. S. B. 85, pages 22, 227, 943, 2265, 2293, 2494.
- Section 28, Title 27, places of registration. S. B. 314, pages 397.
- Sec. 7, Title 28. S. B. 162, pages 40, 419.
- Sec. 45, Title 28. S. B. 349, pages 405, 514, 669.

CODE AMENDED—Continued

- Sec. 171 and 174, Title 28, H. B. 189, pages 712, 915, 2373, 2408.
- Secs. 317, 318, 320, 321, 322, 323, 325 and 327 of Title 28, relating to State Insurance Fund H. B. 268, pages 1901, 1949, 2428, 2444.
- Sec. 325, Title 28, State insurance fund. S. B. 295, pages 395, 517, 977.
- Secs. 3 and 4, Title 29, ABC Board regulating intoxicating liquors. S. B. 449, pages 686, 1144.
- Secs. 3, 4, 5, Title 29, ABC Board regulating liquors. S. B. 325, page 399.
- Sec. 9, Title 29, ABC Board Records. S. B. 320, pages 398, 515, 662.
- Sec. 68, Title 29, Classification by election as to wet or dry counties. S. B. 493, pages 914, 1304.
- Sec. 68, Title 29, relating to elections to determine classification of counties as wet or dry. H. B. 785, pages 1759, 1827.
- Sec. 71, Title 29, ABC Board receipts. S. B. 322, pages 398, 575, 663.
- Sec. 73, Title 29, unlawful sites for liquor stores. S. B. 180, pages 107, 196, 386.
- Sec. 246, Title 29, contraband property. S. B. 278, page 292.
- Secs. 246, 251, Title 29, proceeds from sale of contraband property. S. B. 382, pages 415, 775, 1415.
- Sec. 247, Title 29, vehicles transporting prohibited liquors or beverages. S. B. 276, pages 291, 1140.
- Sec. 251, Title 29, relative to distribution of funds derived from sale of contraband or forfeited property under ABC Law. H. B. 232, pages 592, 1024, 1082, 2282, 2298, 2299, 2422, 2489.
- Sec. 260, Title 29, appointment of investigators and secret service men. S. B. 374, pages 413, 637, 937, 1325.
- Sec. 12 and 15, Title 30, compensation of jury commissions and clerks thereof. S. B. 488, pages 913, 1022.
- Sec. 5, Title 31. H. B. 345, pages 654, 772.
- Sec. 13, Title 32, Relative to compensation of legislative interim committees. H. B. 495, pages 1277, 2208.
- Sec. 41, Title 31, actions for possession of lands. S. B. 60, pages 16, 417.
- Sec. 17-20, Title 32, employees of legislature. S. B. 397, pages 496.
- Secs. 17 and 20, Title 32, employees of legislature. S. B. 398, pages 496, 639, 722, 1279, 1290, 2490.
- Sec. 9, Title 34, issuance of marriage licenses. S. B. 164, pages 40, 1140.
- Sec. 9, Title 34, relating to issuance of marriage licenses. H. B. 168, pages 1058, 1583.
- Sec. 20, Title 34, grounds for divorce. S. B. 57, pages 16, 309.
- Sec. 20, Title 34, relative to grounds for divorce. H. B. 642, pages 2244, 2303.
- Sec. 22, Title 34, Divorce for cruelty or non-support. S. B. 58, pages 16, 310.
- Sec. 23, Title 34, divorce suits. S. B. 399, pages 496.
- Sec. 23, Title 34, mode of proceedings in divorce suits. S. B. 370, pages 412, 631.
- Sec. 23, Title 34, relative to divorce suits. H. B. 479, pages 1067, 1295.
- Sec. 25, Title 34. S. B. 423, pages 547, 632.
- Sec. 74, Title 34. S. B. 235, pages 212, 1144.
- Sec. 76, Title 34. H. B. 256, pages 203, 307.
- Sec. 81, Title 34, relative to conveyances by husband when wife is insane. H. B. 163, pages 929, 1139.
- Secs. 89, 90, 91, 92, 98, Title 34, desertion and non-support. S. B. 22, pages 8, 310.
- Secs. 89, 90, 91, 92 and 98, Title 34, desertion and non-support. H. B. 167, pages 1058, 1112, 2202.
- Secs. 91, Title 34, deserted wives and children. S. B. 251, page 215.
- Sec. 39, Title 35. S. B. 289, pages 339, 417, 816.

CODE AMENDED—Continued

- Secs. 67 and 68, Title 35. S. B. 287, pages 339, 417, 679, 807.
- Secs. 1, 16, 17, 19, 20, 26, 27, 38, 39, 40, 41, 42, 46, 48, 51, 52, 55 and 56 and repealing Secs. 30, 43 and 57. Chapt. 1, Title 36, Rules of the Road. S. B. 547 pages 1137.
- Secs. 1, 16, 17, 19, 20, 26, 27, 38, 39, 40, 41, 42, 46, 48, 51, 52, 55, and 56, and repealing Secs. 30, 43, 57, Rules of the Road. Chapt. 1 of Title 36. H. B. 770, pages 1473, 1588, 2151, 2201, 2250.
- Sec. 2, Title 36, as amended. S. B. 472, pages 770, 1587.
- Sec. 15, Title 36, prohibiting one vehicle from too closely following another. H. B. 74, pages 1167, 1950.
- Sec. 66, Title 36, issuance of drivers licenses. S. B. 445, page 631.
- Sec. 71, Title 36, Highway Patrol. S. B. 369, pages 411, 514, 676.
- Secs. 78, 80, 85, 87, and 88, and repealing Secs. 81 and 92, Chapt. 3, Title 36, measurement and loads of vehicles. S. B. 545, 1136.
- Secs. 78, 85, 87 and 88, Revising Chapt. 3, Title 36, relative to loads, etc. of vehicles on highways. H. B. 771, pages 1488, 1587, 2153, 2201, 2250.
- Sec. 89, Title 36, motor vehicles. S. B. 199, pages 138, 224, 1473, 1572.
- Sec. 90, Title 36, exempting trucks, etc., carrying cotton from length and weight regulations. S. B. 419, pages 546, 772, 948, 1178, 1200, 2490.
- Sec. 94, Title 36, motor vehicles. S. B. 253, pages 215, 1025, 1323, 2370, 2495.
- Sec. 72, Title 37, vacancies on city commissions. S. B. 567, pages 1266, 1297, 1494.
- Sec. 264, Title 37. H. B. 103, pages 196, 224, 293, 298.
- Sec. 276, Title 37, objects and purposes for which municipal bonds may be issued. S. B. 105, pages 24, 222.
- Sec. 341, Title 37, municipalities. S. B. 106, pages 24, 222.
- Sec. 342, Title 37, municipalities powers in acquiring public improvements. S. B. 245, pages 214, 315, 429, 564, 597, 1196.
- Sec. 342, Title 37, as amended. S. B. 590, pages 1426, 1487, 2138.
- Sec. 342, Title 37, powers of municipalities. H. B. 964, pages 1610, 1642, 2140, 2214.
- Secs. 394, 395, 398, 399, 400 and 402, Title 37, as amended. H. B. 659, pages 1169, 1298, 2429, 2445.
- Secs. 428, Title 37, as amended. H. B. 282, pages 739, 1297.
- Sec. 462, Title 37, as amended, relative to publication and recording ordinances. H. B. 653, pages 110, 1296, 1678, 1682, 1694.
- Sec. 587, Title 37, relating to appeal from recorders court. H. B. 739, pages 2266.
- Sec. 667, Title 37. S. B. 598, pages 1482, 1593, 1674, 1838, 1903, 2493.
- Sec. 667, Title 37. H. B. 987, pages 1663, 1713, 2106.
- Sec. 745, Title 37, maximum amount of license taxes which municipalities within the state may annually assess against or collect from certain utilities. S. B. 109, pages 25, 222, 698, 2345, 2396, 2495.
- Sec. 797, Title 37. H. B. 920, pages 1511, 1591, 1675, 1694.
- Sec. 17, Title 38, railroad employees. S. B. 178, pages 107, 1267, 2053.
- Sec. 30, Title 41, relative to appropriation for rental of office spaces. H. B. 185, pages 596, 636, 1002, 1013, 1219, 1838, 1902.
- Sec. 31, Title 38, Harbors and Ports. S. B. 343, pages 404, 774, 1417.
- Sec. 31, Title 38, proceeds from harbors and ports. S. B. 573, pages 1294.
- Sec. 32, Title 38, Harbor improvements. S. B. 344, pages 404, 774, 1417.
- Sec. 13, Title 39, defining instruments payable to bearer and repealing said original section. S. B. 132, pages 30, 224.
- Sec. 29, 30, Title 41, rental of State offices. S. B. 365, page 411.
- Sec. 152, Title 41. H. B. 625, pages 1904, 1976, 1982, 1987, 2071, 2118.

CODE AMENDED—Continued

- Sec. 154, Title 41, mileage and per diem to state employees. S. B. 496, page 930.
- Sec. 154, Title 41, as amended, per diem and traveling expenses. H. B. 451, pages 1166, 1427, 1802, 1833, 1866.
- Sec. 176, Title 41. S. B. 356, pages 406, 516, 1441.
- Sec. 176, Title 41, relating to filling of vacancies in state and county offices. H. B. 976, pages 1622, 2308, 2427, 2446.
- Sec. 176, Title 41. H. B. 93, pages 756, 1585.
- Sec. 19, Title 42, probation and suspension of execution of sentence. S. B. 438, pages 625, 915.
- Sec. 24, Title 42. S. B. 267, pages 270, 308, 1497, 2432, 2465, 2497.
- Sec. 24, Title 42, H. B. 379, pages 1067, 1431.
- Sec. 3, Title 45, corrections and institutions. S. B. 367, pages 411, 514, 676.
- Sec. 61, Title 45, securing testimony of a convict in a criminal case. S. B. 68, pages 17, 43, 113, 383, 393, 1195.
- Sec. 211, Title 45. H. B. 463, pages 902, 916.
- Sec. 42, Title 46. H. B. 412, pages 534, 632, 806, 832.
- Sec. 127, Title 46, relating to finances of state board of embalmers. H. B. 184, pages 203, 223, 974, 1013.
- Sec. 300, Title 46, real estate commission. S. B. 364, pages 411, 637, 985.
- Sec. 80, Title 47. H. B. 181, pages 196, 311.
- Sec. 146, Title 47. S. B. 130, pages 29, 47, 431.
- Sec. 169, Title 47, mortgage foreclosures. S. B. 70, page 17.
- Sec. 272, Title 47, damages for injury or removal of trees. S. B. 415, pages 501, 776.
- Sec. 52, Title 48. S. B. 131, pages 29, 43, 237, 537, 542, 1196.
- Sec. 4, Title 49, commissioner and personnel of Dept. of Public Welfare. S. B. 21, pages 7, 337, 519.
- Sec. 5, Title 49, distribution of fiducial and state money for public assistance. S. B. 145, pages 37, 227.
- Secs. 12, 13, Title 49, director and staff of county dept. of public welfare. S. B. 153, pages 38, 226.
- Sec. 20, Title 49, as amended, Sec. 26, as amended. S. B. 212, pages 174, 226.
- Sec. 20, Title 49, as amended, Sec. 26, H. B. 194, pages 1760, 1949.
- Sec. 30, Title 49, as amended, assistance to needy blind persons. S. B. 451, pages 686, 920.
- Sec. 30, Title 49, as amended, assistance to needy blind persons. H. B. 684, pages 1876, 1949.
- Sec. 35, Title 49. H. B. 108, pages 151, 632.
- Sec. 46, Title 49, old age assistance grants. S. B. 450, pages 686, 920.
- Sec. 46, Title 49, old age assistance grants. H. B. 685, pages 1876, 1949.
- Sec. 56, Title 49, as amended. H. B. 104, pages 152, 632.
- Sec. 101-102, Title 49, appropriations for crippled children. S. B. 197, pages 137, 216, 387, 899, 909, 1197.
- Sec. 2, Title 51, persons and property which shall be exempt from ad valorem taxes. S. B. 643, pages 1866, 1947.
- Sec. 3, Title 51, exemptions from taxation. S. B. 254, pages 215, 308, 372, 492, 505, 1196.
- Sec. 6, Title 51, exemptions from taxation. S. B. 255, pages 215, 308, 372, 491, 505, 1196.
- Sec. 15, Title 51, homestead exemption from ad valorem taxation. S. B. 495, pages 930, 1139.
- Sec. 94, Title 51, terms and compensation of members of boards of equalization. S. B. 507, pages 1019, 1142, 1235, 1605, 1626, 2492.
- Sec. 94, Title 51, term of service and compensation for members of county boards of equalization. S. B. 600, pages 1483, 1703.

CODE AMENDED—Continued

- Sec. 97, Title 51, inventory and appraisal of property in certain counties. S. B. 601, pages 1483, 1703.
- Sec. 97, Title 51, inventory and appraisal of property in certain counties. H. B. 1000, pages 1668, 1714.
- Sec. 81, Title 51, valuation of real property assessed for taxes in counties of population of 200,000 or more. H. B. 1063, pages 1901, 1956, 2139, 2216, 2328, 2346.
- Sec. 94, Title 51, relating to county boards of equalization. H. B. 592, pages 1770, 2208, 2417, 2431, 2455.
- Sec. 110, Title 51, procedure on appeals from decisions of boards of equalization. S. B. 517, pages 1071, 1142, 1236, 2346, 2398, 2496.
- Sec. 124, Title 51, Dept. of Revenue, salaries for legal counsel. S. B. 621, pages 1639, 1701.
- Sec. 124, Title 51, salaries of legal counsel, Dept. of Revenue. H. B. 1059, pages 2135, 2208.
- Sec. 125, Title 51, Dept. of Revenue. S. B. 297, pages 395, 511, 602, 1287, 1289, 1445, 1556, 2490.
- Sec. 130, Title 51, Dept. of Revenue. S. B. 298, pages 395, 510, 603, 1287, 1289, 1447, 1556, 2490.
- Sec. 366, 367 and 368, Title 51, relative to filing lists of securities with Dept. of Revenue. H. B. 350, pages 901, 1144.
- Sec. 380, Title 51, relative to recognition of gain or loss in sale or exchange of property for income tax purposes. S. B. 520, pages 1073, 1144.
- Sec. 385, Title 51, allowance as a deduction in computation of net income for income tax purposes certain non trade or non business expenses. H. B. 94, pages 1076, 1144.
- Sec. 399, Title 51, exemptions of corporations and organizations from payment of income taxes. S. B. 645, pages 1867, 1947.
- Sec. 410, Title 51, extending statute of limitation. H. B. 295, pages 1131, 1585.
- Sec. 424, Title 51, Dept. of Revenue. S. B. 299, pages 395, 638, 977, 1288, 1289, 1446, 1557, 2490.
- Sec. 429, Title 51, payment and distributions. S. B. 300, pages 395, 511, 604, 1288, 1289, 1447, 1558, 2490.
- Sec. 441, Title 51, Dept. of Revenue. S. B. 301, pages 395, 511, 605, 1288, 1289, 1448, 1559, 2490.
- Sec. 465, Title 51, privilege licenses for auto accessory dealers. S. B. 515, pages 1908, 1948.
- Sec. 607, Title 51, license on persons transferring freight. S. B. 515, pages 1022, 1144.
- Sec. 607, Title 51, which relates to license on persons transferring freight. H. B. 812, pages 1877, 1948, 2447, 2462.
- Sec. 619, Title 51, recordation of mortgages, deeds, of trust, etc. S. B. 434, pages 592, 1142.
- Sec. 629, Title 51, relating to store licenses. S. B. 313, pages 397, 638, 984, 1288, 1290, 1456, 1570, 2490.
- Sec. 630, Title 51, to provide for general revenue and by further providing that excise tax shall not apply to those products known commercially as kerosene oil and crude oil. H. B. 459, page 2247.
- Sec. 632, Title 51, Disposition of tax. S. B. 302, pages 396, 511, 607, 1288, 1289, 1449, 1560, 2490.
- Sec. 647, Title 51, gasoline tax. S. B. 303, pages 396, 637, 979, 1305, 1312, 1325, 1351, 1449, 1561, 2490.
- Sec. 647, Title 51, relating to excise tax on gasoline. H. B. 59, pages 296, 312, 464, 507.
- Sec. 647, Title 51, excise tax on gasoline. H. B. 464, pages 1472, 1585.
- Secs. 647, 648, 649 and 660, Title 51, excise tax on gasoline. H. B. 907, pages 1842, 1948, 2459, 2468, 2475.

CODE AMENDED—Continued

- Sec. 648, Title 51, as amended, gasoline tax. H. B. 366, pages 491, 514, 563, 597, 623.
- Sec. 649, Art. 5, Chapt. 20, Title 51, report of sales and withdrawals of gasoline. S. B. 504, pages 969, 1024.
- Sec. 655, Title 51, Dept. of Revenue. S. B. 304, pages 396, 511, 608, 1288, 1289, 1361, 1450, 1562, 2490.
- Secs. 656 and 657, Title 51, Public Road and Bridge Fund. S. B. 377, pages 415, 637, 987.
- Sec. 657, Title 51, distribution of proceeds of gasoline tax. H. B. 718, page 2245.
- Sec. 681, Title 51, seizure of gasoline, etc., where tax has not been paid. H. B. 461, pages 2247, 2303.
- Sec. 70, Title 51, relating to license tax on motor vehicles. H. B. 58, pages 128, 139, 300, 342.
- Sec. 713, Title 51, Dept. of Revenue. S. B. 305, pages 396, 637, 979, 1309, 1324, 1451, 1562, 2072, 2196, 2490, 2494.
- Sec. 713, Title 51. H. B. 119, pages 598, 1139.
- Sec. 739, Title 51, Dept. of Revenue. S. B. 306, pages 396, 638, 979, 1288, 1289, 1451, 1563, 2490.
- Sec. 753, Title 51, sale tax. H. B. 273, pages 598, 637, 947, 1014.
- Sec. 784, Title 51, distribution of revenue from tax. S. B. 307, pages 396, 638, 980, 1288, 1290, 1452, 1564, 2490.
- Sec. 784, Title 51, disposition of revenue from sales tax. S. B. 152, pages 38, 226.
- Sec. 752, Title 51, Art. 10, Chapt. 20. H. B. 589, pages 1351, 1582.
- Sec. 755, Title 51, exemptions under sales tax. H. B. 255, pages 598, 637, 947, 1014.
- Sec. 789, Title 51, exemptions under state use tax. H. B. 254, pages 598, 636, 947, 1014.
- Sec. 789, Title 51, as amended. H. B. 355, pages 1111, 1430, 2467, 2476, 2479.
- Sec. 808, Title 51, Dept. of Revenue. S. B. 308, pages 396, 638, 982, 1288, 1290, 1453, 1565, 2490.
- Secs. 6-13, Title 52, expiration of term of office of members of State Board of Education. S. B. 441, page 630.
- Sec. 17, Title 52, courses of study prescribed for all public elementary and high schools. S. B. 116, pages 26, 48, 293, 302.
- Sec. 68, Title 52, compensation of members of county Boards of Education. H. B. 860, pages 2135, 2201, 2484, 2489.
- Sec. 68, Title 52, compensation of members of county boards of education. H. B. 892, pages 1392, 1436, 1493, 1549.
- Sec. 84, Title 52. H. B. 967, pages 1613, 1641, 1724, 1829.
- Sec. 103, Title 52, qualifications of county superintendents of education. S. B. 95, pages 23, 48, 293, 2470, 2477, 2497.
- Sec. 128-192, Title 52, taking school census. S. B. 91, pages 22, 221, 487, 1123, 1129, 1198.
- Sec. 154, Title 52, meetings of city boards of education. S. B. 92, page 23.
- Sec. 178, Title 52, qualifications of city superintendents of schools. S. B. 93, pages 22, 48, 292, 595, 621, 734, 744, 782, 908, 1196, 1197.
- Sec. 209, Title 52, minimum program fund. S. B. 433, pages 592, 636, 1383.
- Sec. 298, Title 52, as amended, age at which children may enter public schools. S. B. 158, pages 39, 221.
- Sec. 298, as amended, minimum age at which children may enter schools, as amended. H. B. 130, pages 383, 921.
- Sec. 324, Title 52, granting of certificates of administration and supervision to teachers. S. B. 98, pages 23, 222, 493, 1123, 1129, 1198.
- Sec. 366-369, Title 52, teachers retirement system. S. B. 114, page 25.

CODE AMENDED—Continued

- Chapt. 12-13, Title 52, Teachers employment, etc. S. B. 89, pages 22, 920.
- Chapt. 13, Sec. 351, Title 52, tenure of employment of teachers. H. B. 865, pages 1279, 1428.
- Sec. 352, Title 52, continuing service status of teachers. S. B. 244, pages 213, 921.
- Sec. 359, Title 52, cancellation of contracts by teachers. S. B. 96, pages 23, 221, 487, 1122, 1129, 1198.
- Sec. 366, Title 52, teachers retirement system. S. B. 94, page 23.
- Sec. 438, 440, 441, Title 52, State Teachers College. S. B. 99, pages 23, 143, 383, 392, 1123, 1129, 1198.
- Sec. 567, Title 52. H. B. 100, pages 229, 2209.
- Sec. 579, Title 52, courses of study to be taught in State Training School for Girls. S. B. 88, pages 22, 221, 493, 903, 908, 1197.
- Sec. 598, Title 52, instruction given children committed to Alabama Boys Industrial School. S. B. 90, pages 22, 221, 492, 903, 908, 1197.
- Sec. 3, Title 54, relative to deputies of the sheriff. H. B. 741, pages 1110, 1139, 2438, 2458.
- Sec. 8, Title 55, State flower. S. B. 176, page 106.
- Sec. 8, Title 55, State flower. H. B. 10, pages 245, 300, 421.
- Sec. 15, Title 55, acquisition of real property in proximity of Capitol. S. B. 427, pages 548, 636, 994, 2276, 2294, 2494, 2500.
- Sec. 39, Title 55, State Fire Marshal, powers and authority. S. B. 29, pages 9, 1139.
- Sec. 42, Title 55. S. B. 348, pages 405, 515, 668.
- Sec. 81, Title 55, relative to division of control and accounts. H. B. 885, pages 1906, 1949, 2488, 2489, 2490.
- Sec. 92, Title 55, duties of budget officer. H. B. 886, pages 1906, 1947, 2472, 2487.
- Secs. 94, 102, 103, 104, Title 55. S. B. 142, pages 36, 139, 317, 343.
- Sec. 105, Title 55, emergency appropriations. S. B. 361, pages 410, 919, 1413.
- Sec. 108, Title 55, state purchases. S. B. 222, page 177.
- Sec. 108, Title 55, state purchases. H. B. 263, pages 1124, 1174, 1296.
- Sec. 111, Title 55, classification of public printing and binding. S. B. 31, pages 9, 45, 67, 297, 303, 1195.
- Sec. 172, Title 55, compensation of Governor. S. B. 394, pages 496, 775, 975, 2416, 2432, 2496.
- Sec. 174, Title 55, clerks in Governor's office. S. B. 372, pages 412, 486, 535, 656, 685, 1196.
- Sec. 175, Title 55. H. B. 84, pages 127, 139, 299, 304, 482, 489, 507.
- Sec. 179, Title 55, Governor's contingent fund. S. B. 327, pages 399, 775, 1410.
- Sec. 248, Title 55, State Geologist. S. B. 331, pages 402, 512, 667.
- Sec. 249, Title 55, State Geologist. S. B. 277, pages 292, 1139.
- Sec. 298, Title 55, qualifications, compensation, removal of Director of State Personnel Dept. H. B. 237, pages 1324, 1583.
- Sec. 301, Title 55, relative to classified and unclassified positions in service of the State. H. B. 930, pages 1877, 1944.
- Sec. 305, Title 55, tests and military preference under Merit System Act. H. B. 467, page 1184.
- Sec. 312, Title 55, providing for transfer and assignment of employees. H. B. 596, pages 1184, 1373.
- Sec. 314, Title 55, lay-offs under Merit System Act. H. B. 466, pages 1184, 1701.
- Sec. 380, as amended, Title 55. S. B. 476, page 771.
- Sec. 381, Title 55, Qualifications of banks and trust companies as state depositories. S. B. 189, pages 136, 218.
- Sec. 382, Title 55. S. B. 126, pages 29, 43, 68, 1032, 1080, 1197.

CODE AMENDED—Continued

- Sec. 48, Title 58, ad valorem taxes for schools. S. B. 387, pages 441, 514, 555, 735, 743, 1196.
- Sec. 7, Title 60, widows who are entitled to pensions. S. B. 605, pages 1542, 1867, 2106.
- Sec. 34, Title 61, time limit for probation of wills. H. B. 183, pages 386, 771, 1406, 1424.
- Sec. 46, Title 61, relative to wills previously admitted to probate, etc., in courts of other states. H. B. 182, pages 386, 1142.
- Sec. 81, Title 61. S. B. 171, pages 66, 515.
- Sec. 83, Title 61, S. B. 210, pages 174, 516.
- Sec. 96, Title 61, amount of bond to be made by an administrator. S. B. 151, pages 38, 631.
- Sec. 138, Title 61. S. B. 149, pages 38, 515.
- Sec. 365, Title 61. S. B. 112, pages 25, 224, 727, 2345, 2397, 2495.
- Sec. 287, Title 62. H. B. 1078, pages 1963, 2071, 2356, 2400.
- Sec. 358, Art. 5, Title 62, salaries of judges of 16th Judicial Circuit. H. B. 397, pages 565, 970, 1189, 1271.
- Sec. 561, Title 62, City of Montgomery. S. B. 634, pages 1811, 1957, 2141, 2330, 2370, 2495.
- Sec. 561, Title 62, City of Montgomery. H. B. 1107, pages 2085, 2206, 2351.
- Sec. 565, Title 62, City of Montgomery. S. B. 636, pages 1815, 1957, 2142, 2331, 2371, 2495.
- Sec. 565, Title 62, City of Montgomery. H. B. 1105, pages 2080, 2206, 2351.
- Sec. 612, Title 62, salaries of members of commission Board of City of Tuscaloosa. S. B. 584, pages 1368, 1434, 1490, 1682, 1696, 2492.

CODE REPEALED

- Secs. 386, 387, 388, 389, 390, 391 and 392, Title 2. S. B. 531, pages 1107, 1144.
- Sec. 56, Title 17, relating to compensation of registrars in counties of population of more than 300,000. H. B. 1016, pages 1747, 1873, 2351.
- Sec. 14, Title 23, revenue from motor vehicle licenses. S. B. 379, pages 415, 637, 987.
- Secs. 261, 289, 299, 293, Title 26 and Secs. 1, 6, 16, and 17 of act, approved July 10, 1940, relating to attorneys fees and medical and surgical fees under Workmens Compensation. S. B. 25, page 8.
- Chapt. 2, Secs. 30-166, safety and health of persons engaged in mining. S. B. 134, pages 30, 142, 379, 735, 908, 1065, 1117, 1197.
- Secs. 30, 43, 57, Title 36, Chapt. 1 relating to rules of the road and amending certain sections. H. B. 770, pages 1473, 1588, 2151, 2201, 2250.
- Sec. 12-13, Title 45, Corrections and Institutions. S. B. 366, pages 411, 514, 675.
- Sec. 62, Title 46. S. B. 148, pages 37, 416, 797, 1757, 1806, 2492.
- Sec. 146, Title 47, accumulation of income from property. H. B. 67, pages 1111, 1430.
- Secs. 19, 30, 34, 46, 48, 52, 59, 61, Title 49, distribution of money available for public assistance. S. B. 147, pages 37, 227.
- Secs. 14 and 17, Title 49, relating to joint service of welfare and school attendance. H. B. 105, pages 152, 227.
- Sec. 377, Title 55, Employment by Governor of special peace officers. S. B. 466, pages 757, 919, 1415.
- Subdivisions 1 and 2 of Art. 17, Title 62. H. B. 974, pages 1611, 1869, 2108, 2136.

COFFEE COUNTY

- Relative to meetings of Court of County Commissioners. H. B. 973, pages 1621, 1640, 1724, 1830.

COLBERT COUNTY

- Providing sheriff with additional deputies; fixing their compensation. H. B. 259, pages 192, 219, 285, 305.
- Creating board of revenue. H. B. 333, pages 325, 340, 425, 459, 521, 553, 680, 739.
- Regulating, licensing barbers and barber colleges and other like businesses, creating Barbers Commission. H. B. 1115, pages 2231, 2305, 2424, 2446.
- Levying such state taxes as levied by Sec. 752-811, Title 51 Code. H. B. 1049, pages 1852, 1954, 2060, 2065.

COLISEUM

- Additional appropriation for construction and improvement of—. S. B. 412, pages 501, 919, 1444, 2287.

CONECUH COUNTY

- Relative to secretarial assistant for circuit clerk. S. B. 509, pages 1020, 1151, 1226, 1388, 1423.
- Compensation of members of County Board of Education. S. B. 579, pages 1364, 1434, 1489, 1721, 1748, 2492.

CONSERVATION

- Prohibiting director or any state official from entering into lease or rental agreement with third parties with any land owned or controlled by the State. H. B. 85, pages 228, 921.

CONSTITUTIONAL AMENDMENT

- Ordering special election relating to Legislature and providing payment of expenses of election. S. B. 7, page 5.
- Method of adopting amendments affecting subdivision affecting entire State. S. B. 14, page 6.
- Sec. 181, as amended, relating to qualifications of electors and ordering an election on the proposed amendment. S. B. 74, page 20.
- Providing for a re-registration of all qualified voters. S. B. 75, pages 20, 217.
- Re-apportionment in Senate—one Senator from each county. S. B. 121, pages 27, 40, 118, 217, 1685, 2287.
- Providing for municipal home rule. S. B. 230, page 179.
- Selection of Supreme Court Judge. S. B. 236, page 212, 772.
- Relative to method of adopting amendment to the Constitution. S. B. 237, pages 213, 1140.
- Publishing notice of intention to apply for enactment of local laws. S. B. 250, pages 214, 1432.
- Fixing qualifications to register as an elector. S. B. 252, pages 215, 1431.
- Representation in Senate. S. B. 270, page 270.
- Franchises to public utilities. S. B. 395, page 496.
- Relative to issuing road bonds in the amount of \$40,000,000 for public roads and highways, providing for election. S. B. 409, pages 498, 918, 1686, 1704, 1715.
- Additional methods of amending constitution, ordering election thereon. S. B. 417, pages 502, 1432.
- Sessions of Legislature; ordering election thereon. S. B. 424, pages 547, 1432.
- Authorizing Marion County to issue bonds for public hospital building. S. B. 454, pages 687, 777, 828, 988, 1017, 1197.
- Prohibiting Phenix City from granting any franchise to a public utility for a period of more than 30 years. S. B. 480, page 823.
- Amending Article 12, Sec. 232, ordering election thereon. S. B. 516, page 1022.

CONSTITUTIONAL AMENDMENT—Continued

- Authorizing State to assist in erection of hospitals within the state. Issuing bonds in amount of \$2,000,000. S. B. 552, pages 1176, 1433, 1771, 2107, 2192, 2494.
- Providing for levying of and collecting in school tax district of Huntsville a tax of 50c on each \$100 of taxable property for public school purposes. S. B. 606, pages 1542, 1592, 2107.
- Relative to City of Huntsville. S. B. 626, pages 1660, 1711.
- Fixing qualifications to register as an elector. H. B. 294, pages 1026, 1178, 1798, 2290, 2386, 2395, 2406, 2423, 2442, 2475.
- Authorizing the levy of additional tax for public school purposes. H. B. 1024, pages 1727, 1870, 2114, 2149.
- Regulating fees, commissions, etc. of any officer of Franklin County. H. B. 588, pages 707, 918, 1188, 1272.
- Authorizing school districts of Cherokee County to levy and collect special district tax. H. B. 486, pages 712, 1826, 2108, 2136.
- Relating to expense of publishing Governors proclamation. H. B. 390, page 533.
- Regulating costs and charges of courts in Cullman County. H. B. 376, page 357.
- Prohibiting legislature from establishing or abolishing any branch courthouse unless proposal be first submitted to vote in county or counties affected. H. B. 663, pages 1096, 1153, 1235, 1291.
- Re-apportionment—senator from each county. H. B. 719, pages 1267, 1432, 2157, 2200, 2342.
- To prohibit Phenix City from granting any franchise to a public utility for a period of more than 30 years. H. B. 742, pages 1087, 1300, 1382, 1420.
- Proposing an amendment to Sec. 205 of Constitution, which relates to homestead exemptions. H. B. 753, pages 1877, 2309.
- Proposing amendment to Art. 12, Sec. 232. H. B. 813, pages 1897, 1946.
- Relative to proceeds of county taxes to be used for hospital purposes in all counties except Mobile and Jefferson. H. B. 873, pages 1323, 1432, 2436, 2458.
- Relating to levy and collection of special property tax for public school purposes in St. Clair County. H. B. 887, pages 1329, 1438, 1496, 1548.
- Relative to filling vacancies in office of Judge of Circuit Court. H. B. 969, pages 1621, 1951, 2358, 2400.
- Levying and collecting special school tax in Madison County. H. B. 995, pages 1663, 1712, 2123, 2201, 2251.

CONTRACTORS

- Abolishing licensing Board for General Contractors. S. B. 195, pages 137, 309.

CONTRIBUTORY NEGLIGENCE

- Providing same shall not bar recovery in actions where injury results in death, etc. S. B. 118, pages 26, 47, 148.

COOSA COUNTY

- Relating to salary of Deputy Solicitor. H. B. 448, pages 478, 519, 561, 623.

COSMETOLOGY

- Creating State Board of Cosmetology; regulating teaching and practice; requiring registration and licensing. S. B. 24, page 8.
- Creating State Board of Cosmetology, regulating teaching and practice; requiring registration and licensing. S. B. 213, page 174.

COSTS

- Relative to payment in proceedings to quiet title to real estate. H. B. 321, page 1059.
- Additional fee on prosecution of prohibition laws in which defendant is convicted or taxed with costs; disposition of fee. H. B. 491, pages 1469, 1701.
- Providing for costs and fees to certain circuit court clerks in preliminary hearings in felony cases. S. B. 583, pages 1368, 1584.

COUNCIL OF STATE GOVERNMENTS

- Making appropriation for support of—. H. B. 134, pages 1980, 2046.

COUNTY EXECUTIVE COMMITTEE

- Election of members. S. B. 225, page 178.

COUNTIES

- Relative to tax collectors and assessors acting as advisors to Board of Equalization in counties of 23,000-25,000. S. B. 540, pages 1134, 1216, 1381, 2104, 2192, 2493.
- Authorizing Board of Education in counties of 23,000 to 25,000 population to impose extra duties on Supt. of Education and increasing his compensation. S. B. 542, pages 1134, 1216, 1380, 2104, 2192, 2493.
- Relative to contribution by counties to budget of county health Dept. population 100,000-140,000. S. B. 550, pages 1175, 1439, 1501, 1683, 1696, 2492.
- Creating county-wide civil service system in counties of 100,000-140,000 population. S. B. 599, pages 1482, 1592, 2106.
- Fixing compensation of governing bodies in counties of 52,000-63,000 population. S. B. 603, pages 1484, 1592, 1679, 1838, 1903, 2493.
- Relative to clearing obstructions from sewer lines by power cutting machines in counties of 400,000 population. S. B. 627, pages 1706, 1868, 2112, 2331, 2370, 2495.
- Providing for combination of offices of license inspector and commissioner of licenses when one becomes vacant; providing for appointment of same under Director of Revenue in counties of 400,000 population. S. B. 629, pages 1707, 1868, 2052, 2331, 2370, 2495.
- Imposing additional duties on Chairman, etc. of governing bodies. H. B. 17, pages 422, 453.
- Prescribing hours during which polls shall be open in counties of 300,000 or more population. H. B. 60, pages 118, 315, 351, 394.
- Providing for state to reimburse county in whole or in part for expenses in holding elections, making appropriation for same. H. B. 107, page 135.
- Relieving county officials of duty of visiting voting places in counties of 66,400 and not more than 76,000 population. H. B. 236, pages 1025, 1145, 1223, 1270.
- Conferring upon counties of 400,000 population or more, the same power which largest municipal corporation has for making study for advising on pending or proposed legislation. H. B. 287, pages 325, 416, 462, 507, 651, 657, 738.
- Relative to ad valorem taxes in counties of 110,000 and not more than 140,000 population; providing for claiming of homestead exemptions. H. B. 304, pages 283, 312, 699.
- Providing for seizure of automobile or other vehicle which is knowingly used for transportation of gaming devices, etc., in counties of 400,000 or more population. H. B. 474, pages 1727, 1872, 2125, 2146, 2214.
- Relative to County Boards of Health soliciting or receiving gifts, etc. H. B. 563, pages 900, 919, 1347, 1362.

COUNTIES—Continued

- Relative to compensation of judges in counties of 75,000 and less than 113,000 inhabitants. H. B. 633, page 701.
- Relative to opening of polls in counties of 67,500 and not more than 75,000 population. H. B. 638, pages 1025, 1870.
- Creating Plumbers Examining Board in counties of 140,000 population. H. B. 662, pages 2102, 2219, 2302.
- Authorizing counties of 143,500 population to declare weeds a public nuisance. H. B. 693, pages 854, 937, 1003, 1017.
- Prohibiting certain county employees from accepting money or things of value from defendant. H. B. 717, pages 1905, 1945.
- Relative to the charging of fees by probate judges in counties of 67,500 and not more than 75,000 population. H. B. 736, pages 1000, 1112, 1296, 1386, 1420, 1424.
- Allowing clerk of circuit court, register in chancery and judge of probate to use photograph or photostat in recording of records, etc., in counties of 400,000 or more population. H. B. 758, pages 1034, 1145, 1123, 1270.
- Relative to counties clearing roots and obstructions from sewer lines. H. B. 761, page 2134.
- Prohibiting county officers from accepting any compensation other than salary. H. B. 762, pages 1034, 1146, 1224, 1270.
- Establishing retirement fund for deputy sheriffs, etc. in counties of 400,000 or more population. H. B. 791, pages 1088, 1149, 1316, 1363.
- Permitting Juvenile and Domestic Courts to issue a writ of garnishment on defendant when defendant is released on probation, in counties of more than 75,000 population. H. B. 857, pages 1345, 1438, 1552, 1598, 1606.
- To provide for action of ejectment to recover property in counties of 140,000 or more population. H. B. 975, pages 1613, 1640, 1723, 1830.
- Creating county-wide personnel system for all counties of 100,000 and not more than 140,000 and for municipalities having population of 5,000 or more. H. B. 992, pages 1668, 1712, 2048, 2062, 2064.
- To fix compensation of members of county governing bodies in certain counties. H. B. 994, pages 1668.
- Relating to salary of county treasurer in counties of 400,000 inhabitants. H. B. 996, pages 1666, 1713, 1888, 1960.
- Relating to training of deputies sheriff at F. B. I. National Police Academy. H. B. 1006, pages 1668, 1714, 1889, 1960.
- Relating to tax assessors and tax collections in counties of 46,250 and not more than 48,100 inhabitants. H. B. 1015, pages 1741, 2308, 2411, 2448, 2458.
- Requiring reidentification of each qualified elector in counties of 400,000 population. H. B. 1020, pages 1732, 1873, 2127, 2146, 2214, 2333, 2372.
- Relating to license inspector in counties of 400,000 population. H. B. 1028, pages 1730, 1870, 2111, 2136.
- Combining offices of license inspector, dept. of revenue and commissioner of licenses, in counties of 400,000 population. H. B. 1031, pages 2102, 2204, 2351.
- Making it unlawful for any person to disturb the peace of others by violent, offensive, obscene, etc. conduct, in counties of 75,000 population. H. B. 1057, pages 2245, 2305.
- Authorizing circuit clerk to appoint additional deputy in counties of 32,000 population. H. B. 1064, pages 1842, 1956, 2139, 2216.
- Imposing additional duties on members of Boards of Revenue in counties of 76,000 and not more than 114,000 population. H. B. 1069, pages 1972, 2069.

COUNTIES—Continued

Providing for commissioner of licenses subject to civil service system in counties of 350,000 population. H. B. 1076, pages 1963, 2071, 2361, 2376, 2400.

Relating to salaries of tax assessors and tax collectors in counties of 400,000. H. B. 1077, pages 1967, 2071, 2357, 2400.

Authorizing governing bodies in counties of 400,000 population to reimburse member for use of personal car not to exceed \$50.00. H. B. 1081, pages 1967, 2070, 2354, 2400.

Relating to retirement systems in counties of 400,000 population. H. B. 1100, pages 2087, 2207, 2355, 2401.

Fixing minimum age at which children may enter public schools in counties of 400,000 population. H. B. 1123, pages 2213, 2307, 2424, 2446.

COURT OF APPEALS

Regulating office of clerk of—. S. B. 397, page 496.

Making additional appropriation to same. S. B. 649, pages 1942, 2046.

COVINGTON COUNTY

Altering boundaries of Red Level. H. B. 324, pages 283, 313, 347, 394.

Re-establishing office of deputy solicitor. H. B. 21, pages 118, 274, 322, 376.

CRENSHAW COUNTY

Relative to territorial jurisdiction for justices of peace and notaries public. S. B. 376, pages 414, 454, 560, 700, 742, 1196.

CULLMAN COUNTY

Changing method of compensating certain county officials. H. B. 343, page 329.

Relative to appointment of deputy register of circuit court in equity. H. B. 394, pages 364, 420, 464, 509.

CULLMAN

To alter boundaries of Cullman, Ala. H. B. 1056, pages 1858, 1956, 2129, 2216.

DALLAS COUNTY

Prescribing manner of filling vacancies in event of death or resignation of members of court of county revenues. S. B. 391, pages 484, 518, 555.

Prescribing manner of filling vacancies in offices of tax collector and assessor. S. B. 392, pages 485, 518, 555.

Prescribing manner of filling vacancies on Court of County Revenue. S. B. 410, pages 499, 553, 681, 859, 910, 938, 942, 1017, 1197, 1197.

Prescribing manner of filling vacancies in offices of tax collector and assessor. S. B. 411, pages 500, 553, 681, 859, 910, 939, 942, 986, 1017, 1197, 1197.

Prescribing manner of filling vacancies on court of county revenues. H. B. 582, pages 649, 696, 818, 832.

Prescribing manner of filling vacancies in offices of tax collector and assessor. H. B. 583, pages 650, 696, 818, 832.

DAPHNE

Altering boundaries of—. H. B. 831, pages 1340, 1436, 1494, 1547.

DEAN, Jack and Emmett

For relief of—. H. B. 669, pages 787, 888, 946, 1015.

DEATHS

Requiring attending physicians or hospitals to report deaths resulting from violent or unlawful causes to sheriff. H. B. 498, pages 900, 1153.

DECATUR

Amending act creating municipal utilities board. H. B. 102, pages 120, 141, 234, 275.

DEFENDANTS

To provide for acknowledgment or waiver of service by non-resident defendants. S. B. 54, pages 16, 44, 131, 433, 447, 1195.

Prohibiting sheriffs, county or municipal officers, attorneys, etc., from accepting anything of value from a defendant. S. B. 485, pages 886, 1139.

DEKALB COUNTY

Providing for payment of claims from fine and forfeiture fund. H. B. 683, pages 848, 937, 960, 1016.

Authorizing governing body to impose excise tax on gasoline, etc. H. B. 859, pages 1238, 1303, 1384, 1420, 1425.

Transferring Juvenile court from Probate court to DeKalb County Court. H. B. 925, pages 1465, 1544, 1651, 1677.

DOGS

Relative to making owners of dogs liable for bites, etc. H. B. 66, pages 385, 515.

Regulating trafficking of dogs. H. B. 373, pages 784, 1430.

DONALDSON, Colonel John

Appointment by Governor as Brigadier General, Alabama Air National Guard, State Militia, page 2297.

DORSEY BROTHERS

Appropriation for relief of—. H. B. 19, pages 537, 637, 731, 752.

DOTHAN

Altering corporate limits of—. S. B. 638, pages 1819, 1957, 2052, 2331, 2371, 2495.

To alter boundaries. H. B. 1086, pages 2076, 2207, 2373, 2409.

DRIVING—RECKLESS

Prohibiting same and providing punishment. H. B. 489, page 1167.

DRUID CITY HOSPITAL

Providing for dissolution of board and disposal of funds and property now owned by same. H. B. 691, pages 1506, 1591.

DRUGS

Making the introduction of same into penal institutions a felony. S. B. 125, pages 29, 43, 69, 197, 210, 1195.

EDUCATION—COUNTY AND CITY BOARDS

Relating to issuing and selling interest bearing warrants. H. B. 1005, pages 1975, 2068, 2349, 2400.

EDUCATION—REGIONAL

To make an appropriation for. S. B. 166, pages 40, 139, 234.

To make an appropriation for fiscal year ending Sept. 30, 1949. H. B. 133, pages 296, 418, 461, 507.

EDUCATION—VOCATIONAL

Making appropriation for. S. B. 461, pages 692, 2208, 2351.

EDUCATIONAL APPROPRIATION

General appropriation for—. H. B. 380, pages 1593, 1702, 2174, 2253, 2278, 2292, 2296, 2378, 2410.

EDUCATIONAL HISTORY

- Providing for research into Alabama history and distributing to colleges and public school libraries. S. B. 196, pages 137, 216, 388, 392, 908, 1197.

EDUCATIONAL RESEARCH SERVICE

- Creating same for research of alcohol influence on human health. S. B. 247, pages 214, 510, 1060, 2434, 2464, 2496.
- Creating temperance supervisor. S. B. 246, pages 214, 515, 1061, 2434, 2464.

EDUCATIONAL TRUST FUND

- Providing for use of twelve million dollars of State Treasury surplus for same. S. B. 557, page 1203.
- Appropriation for maintenance of—. S. B. 248, page 214.

ELBA

- Altering boundaries of—. H. B. 637, pages 700, 780, 862, 898.

ELECTIONS

- Validating elections held since July 6, 1945. S. B. 161, pages 39, 143, 383, 596, 621, 1196.
- To provide for holding state-wide advisory election relative to certain legislation proposed at present session. S. B. 186, pages 135, 217, 1682.
- Prohibiting members of county executive committee from serving as election officials. S. B. 224, page 178.
- Validating elections held since July 6, 1945. H. B. 175, page 433.
- Relating to validating elections held under provisions of Title 37, Sec. 274 to 292, 1940 Code, on questions of levy of taxes. H. B. 270, page 365.

ELECTION OFFICIALS

- Fixing penalty for failure to serve. S. B. 229, page 178.
- Fixing penalty for failure to serve. H. B. 218, pages 748, 2210, 2364, 2408.

ELECTORS

- Aiding in identification of same by requiring officials to keep records of convicted persons, etc. S. B. 233, page 179.

ELMORE COUNTY

- Amending act allowing sheriff additional deputy. H. B. 223, pages 183, 220, 225, 288, 304.
- Providing additional compensation for chief deputy sheriff. H. B. 224, pages 185, 221, 289, 305.
- Allowing sheriff additional deputy. H. B. 225, pages 186, 219, 288, 305.
- Fixing compensation of members of court of county commissioners or other governing body. H. B. 323, pages 1463, 1543, 1649, 1675.
- Providing for additional clerk in office of clerk of circuit court. H. B. 789, pages 1095, 1149, 1229, 1293.

EMPLOYEES

- Additional qualifications for certain public employees. S. B. 512, pages 1021, 1145, 1221.

EMPLOYMENT AGENCIES

- Relative to private employment agencies. H. B. 449, pages 785, 1584.

ENTERPRISE

- Altering boundaries of—. H. B. 714, pages 989, 1108, 1190, 1272.

ESCAMBIA COUNTY

Relative to Board of Revenue allowing necessary expenses. H. B. 835, pages 1332, 1959, 2425, 2433, 2446.

ESCHEATS

Unclaimed monies held by insurance companies be paid to State Supt. of Insurance. S. B. 5, pages 5, 517.

ESTATES

Charging estate with payment of reasonable funeral expenses. H. B. 598, pages 1124, 1583.

ETOWAH COUNTY

Relating to county officials. H. B. 883, pages 1329, 1438, 1495, 1548.

To alter boundaries of city of Attalla in Etowah County. H. B. 893, pages 1392, 1436, 1831, 1865.

Relating to Public Law Library. H. B. 1036, pages 1739, 1870, 2056, 2065.

EXPOSURE

Imposing penalty for vulgar and indecent exposure. S. B. 400, pages 496, 632, 722, 2348, 2397, 2495.

FAYETTE COUNTY

Imposing additional duties and providing additional compensation for members of county governing body. S. B. 632, pages 1808, 1957, 2140.

Providing for clerk for tax assessor and collector. S. B. 633, pages 1810, 1957, 2140, 2331, 2370, 2495.

Relative to pay of members of county board of education. S. B. 479, pages 823, 922, 964, 1086, 1116, 1197.

Relative to pay of members of county board of education. H. B. 733, pages 991, 1108, 1154.

FEDERAL RENT CONTROL

Declaring same no longer necessary in Alabama. H. B. 101, pages 300, 517, 1157, 1169, 1218.

FEEES

Relative to fees for violation of provisions of Forestry Laws. H. B. 786, pages 2134.

FIREARMS

Confiscation of same during closed season for killing of game birds or animals. S. B. 570, pages 1266, 1589.

FIRE WARDEN

Making it misdemeanor for male citizen to fail or refuse to aid same. H. B. 55, pages 860, 1701.

FIREWORKS

Prohibiting sale, possession, use or explosion of same. S. B. 34, pages 10, 47, 247, 277, 539, 542, 1196, 1197.

FISH

Providing further protection of—. S. B. 362, pages 410, 644.

Regulating buying, selling, etc. of fresh water non-game fish. S. B. 336, page 403.

FLORENCE

Altering boundaries of—. H. B. 834, pages 1262, 1303, 1384, 1420.

FORT MORGAN

Making appropriation for restoring same. H. B. 315, pages 1908, 1947, 2484, 2489.

FOXES

Repealing laws requiring payment of license tax for killing, taking, capturing same. H. B. 240, pages 202, 421.

FRANKLIN COUNTY

Relative to publishing expenditures for road and bridge purposes.

H. B. 51, pages 119, 141, 194, 212.

Abolishing court of county revenues. H. B. 452, pages 713, 1109, 1183, 1219, 1311.

Providing for election of members of county executive committees.

H. B. 496, pages 709, 777, 830, 898.

Abolishing court of county revenues and establishing board of revenue. H. B. 985, pages 1895, 1946, 2059, 2064.

Changing method of compensating Judge of Probate. H. B. 986, pages 1741, 1872, 2059, 2064, 2420.

GADSDEN

To alter boundaries of—. H. B. 894, pages 1395, 1436, 1831, 1866.

GAMBLING

Providing that gambling shall not be indirectly legalized by licensing illegal gambling paraphernalia, and to forbid levying and collecting of licenses or taxes on gambling devices. S. B. 69, pages 17, 1584.

GAME

Prohibiting use of bait to lure, attract or entice any bird or animal, prohibiting traps, etc. H. B. 420, pages 806, 1588.

GENEVA COUNTY

Abolishing fine and forfeiture fund. S. B. 630, pages 408, 454, 503, 655, 684, 1196.

Authorizing additional deputy for sheriff. S. B. 556, pages 1202, 1303, 1382, 1505, 1575, 2491.

Authorizing governing body to pay additional clerks for tax assessor and collectors. H. B. 738, pages 990, 1216, 1440, 1505.

GLOVER, Hon. BEN

Motion in writing relative to H. B. 1113. Page 2409.

GOEHLER, MRS. EDDIE

For relief of—. H. B. 757, pages 1033, 1145, 1229, 1291.

GOVERNOR

Message from Governor containing proposed budget. Page 31.

Request for Joint Session to address Legislature. Page 421.

Message from House stating request of Governor for Joint Session. Page 472.

Message to Legislature concerning hooded men and acts of violence. Page 619.

Message relative to operation of Dept. of Examiners of Public Accounts. Page 1064.

Message from Governor concerning return of S. B.'s 297-313 with executive amendments. Page 1457.

Message from Governor concerning House Bill 625. Page 2118.

Message from Governor relative to passage of appropriation bills. Page 2155.

Message from Governor concerning constitutional amendments and cost of—. S. B. 273, page 272.

GOVERNMENTAL AGENCIES

Requiring certificates of price on all purchases made by—. S. B. 535, pages 1133, 1583.

GOVERNMENTAL USE SYSTEM

To create the system for training prisoners, and for purchasing supplies, etc., from prison industries. S. B. 124, pages 29, 519.

GRANTS

Authorizing State Treasurer to accept from Federal Government. S. B. 269, pages 270, 636, 995, 2431, 2465, 2497.

Grants to State Departments are to be expended by them. S. B. 405, pages 498, 637.

GREENE COUNTY

Providing public recreational facilities for—. S. B. 123, pages 27, 48, 146, 239, 253, 1195.

GREENVILLE

To alter boundaries of—. H. B. 1013, pages 1737, 1873, 2130, 2214.

GROVE HILL

To alter boundaries of—. H. B. 500, pages 789, 889, 960, 1014.

GUARDIANS

Amending Sec. 134, Title 21 of Code, relative to—. H. B. 18, pages 129, 224.

Relative to appointment of guardians ad litem for minors, etc., in proceedings to quiet title to real estate. H. B. 318, pages 1058.

Relative to payment in proceedings to quiet title to real estate. H. B. 321, page 1059.

HANNA, Colonel Walter J.

Appointment by Governor as Brigadier General, Alabama National Guard, page 2200.

HENRY COUNTY

Dividing county into four forest-protection districts. H. B. 690, pages 853, 922, 961, 1017.

Designating and appointment one or more banks as depository for county funds. H. B. 839, pages 1246, 1437, 1495, 1548.

Providing additional duties and compensation for circuit solicitor. H. B. 988, pages 1663, 1713, 2138.

HIGHWAYS

Relative to demonstration projects in highway right-of-way maintenance. S. B. 280, pages 306, 418, 1443, 2448, 2479, 2497.

Prescribing equipment of vehicles and regulating the use of highways by pedestrians and vehicles. S. B. 546, page 1137.

Prohibiting further state-financed highway construction until a sum sufficient to secure federal aid has first been set aside. S. B. 596, page 1427.

Further regulating use of state funds for highway purposes. S. B. 595, pages 1427, 1487.

Relating to use of highways of State by pedestrians and vehicles. H. B. 769, pages 1473, 1588, 2152, 2200, 2250.

HIGHWAY ADVISORY BOARD

Creating same. H. B. 943, page 1979.

HOBSON, RICHMOND PEARSON MEMORIAL BOARD

Making appropriation for—. S. B. 656, pages 1943, 2046.

HOMESTEAD EXEMPTION

Relative to persons entitled to same making claim before January 1st of any tax year. H. B. 674, pages 858, 971, 1060, 1078.

HOSPITALS

- Authorizing incorporation of public corporation for hospital purposes in any county. S. B. 154, pages 38-108-236-333-343-1195.
- Appropriation for upkeep of State Hospital buildings. S. B. 239, page 213.
- Conferring authority upon hospital associations to issue warrants to acquire county or other public hospitals. S. B. 368, pages 411, 520, 697, 1086, 1115, 1197.
- Providing for election of board members of any public corporation organized for hospital purposes. S. B. 536, pages 1133, 1214, 1320, 1503, 1574, 2491.
- Relative to licensing hospitals for public health purposes. S. B. 375, pages 414, 520.
- Providing for designation of hospital boards to construct hospitals in counties where tax is authorized for construction of same. S. B. 610, pages 1581, 1639.
- To regulate hospitals, sanatoria, rest homes, etc., for public health purposes, and providing penalties for violation of act. H. B. 635, pages 1357, 1429, 1891, 1904, 1959, 2300, 2324, 2338.
- Providing for election of members of board of directors of any public corporation hereafter organized for hospital purposes in counties of 73,000 and not more than 113,000 population. H. B. 915, pages 1508, 1591.
- Providing for designation of hospital association to acquire, construct, maintain and operation public hospitals. H. B. 1021, pages 1905, 2202, 2439, 2443, 2462.

HOUSE OF REPRESENTATIVES—Clerk of

- Providing additional duties and compensation for—. S. B. 597, pages 1427, 1487, 1595, 1721, 1784.

HOUSING

- Providing for research into building, housing and supply industries and making information available to the public. S. B. 401, pages 497, 634, 1236, 2107, 2196, 2494.
- To create State Housing Corporation to relieve congested and unsanitary housing conditions, etc. H. B. 396, pages 2266, 2302.

HOUSING ADVISORY BOARD

- Creating same and authorizing housing authorities to clear blighted areas and stimulate private enterprise during reconversion. S. B. 402, pages 497, 634, 1236, 1273, 2108, 2196, 2494.

HOUSTON COUNTY

- Relative to traveling expenses of Supt. of Education. S. B. 271, pages 270, 314, 463.
- Abolishing jurisdiction of justices of peace and notaries public. S. B. 457, pages 691, 779, 964, 1086, 1115, 1197.
- To alter boundaries of Town of Cottonwood. S. B. 506, pages 969, 1108, 1192, 1388, 1422, 2491.
- Relative to traveling expenses of Supt. of Education. H. B. 358, pages 331, 340, 461, 508.
- Relative to circuit solicitor. H. B. 951, pages 1520, 1590, 2138.
- Establishing four member Board of Revenue. H. B. 898, pages 1389, 1435, 2351, 2399.

INSURANCE

- Relating to unclaimed monies being paid to State and escheated. S. B. 5, pages 5, 517.
- Relative to wife becoming surety for debts of her husband wherein she is beneficiary and insured has a right to change beneficiary. S. B. 42, pages 11, 44, 149, 1123, 1128, 1198.

INSURANCE—Continued

- To relieve from operation of existing laws against perpetuities or suspension of power of alienation of title to property, certain trusts of life, health and accident insurance. S. B. 128, pages 29, 47, 430, 1132, 1168, 1198.
- Relative to Creating Dept. of Insurance. S. B. 266, pages 269, 517.
- Relative to creating Dept. of Insurance. H. B. 385, pages 1076, 1214, 2443, 2457.

INSURERS

- Relative to insurers not authorized to do business in this State. S. B. 593, pages 1426, 1582.
- Relative to insurers not authorized to do business in this State. H. B. 959, pages 1898, 1945.

INTERROGATORIES

- To provide for answer of interrogatories propounded under Sec. 477, Title 7, 1940 Code, by servant or agent of individual to whom addressed. H. B. 87, pages 130, 308.

INVESTIGATION AND IDENTIFICATION—BUREAU OF

- Creating and maintaining same and making appropriation. S. B. 157, page 39.
- Creating and maintaining same and making appropriation. S. B. 390, page 483.

JACKSON COUNTY

- Authorizing election to determine levying of excise tax on gasoline, etc., H. B. 1095, pages 2092, 2205, 2362, 2375.

JEFFERSON COUNTY

- For relief of James A. Head. H. B. 819, pages 1164, 1215, 1319, 1363.
- For relief of John C. Allen. H. B. 917, pages 1462, 1544, 1650, 1677.
- For relief of Mrs. Mamie Rickles. H. B. 926, pages 1467, 1545, 1652, 1677.
- To increase salary of Judge of Juvenile and Domestic Relations Court. H. B. 997, pages 1663, 1713, 1889, 1960.
- To regulate trials of civil cases. H. B. 998, pages 1667, 1714, 1889, 1894, 2051, 2063, 2064.
- For relief of Mrs. Ethel Mae Dorrity. H. B. 1018, pages 1732, 1871, 2116, 2148.
- For relief of Mrs. Emma V. Eley. H. B. 1022, pages 1731, 1871, 2115, 2148.
- To increase salary of Clerk of Circuit Court. H. B. 1029, pages 1730, 1870, 2111, 2137.
- To increase compensation of Judge of Court of Misdemeanors. H. B. 1030, pages 1729, 1870, 2112, 2137.
- Relative to compensation of Judge of Probate. H. B. 1033, pages 1728, 1869, 2056, 2064.
- Supplementing sewer amendment to the Constitution. H. B. 1108, pages 2087, 2202, 2358, 2402.
- For relief of Lura Blanche Ellard. H. B. 1117, pages 2227, 2306, 2484, 2487.
- For relief of J. F. Yarborough. H. B. 1132, pages 2228.

JEMISON

- To alter boundaries of. H. B. 732, pages 992, 1108, 1188, 1272.

JOINT SESSION.

- To receive Message of Governor, page 13.
- To hear Hon. Millard F. Caldwell, page 290.
- To receive Message of Governor, page 430.

JUDICIAL CIRCUITS

- Providing additional judge for 14th Judicial Circuit. S. B. 219, page 177.
- Creating additional judge for 9th Judicial Circuit. S. B. 404, page 497.
- Relative to time for holding court in 26th Judicial Circuit. S. B. 474, pages 771, 915, 1050, 1361, 2490.
- Creating additional judge for 10th Judicial Circuit. S. B. 544, page 1136.
- Providing additional salary for each judge in circuits having more than five circuit judges. S. B. 655, pages 1943, 2068, 2241, 2416, 2433, 2496.
- Providing for additional judge in 9th Judicial Circuit. H. B. 453, pages 712, 1427, 1653, 1675.
- Authorizing additional judge for 11th Judicial Circuit. H. B. 604, pages 1898, 1944, 2138, 2214.
- Imposing additional duties and compensation for solicitor of 16th Judicial Circuit. H. B. 863, page 1727.
- Creating additional judge for 10th Judicial Circuit. H. B. 884, page 1552, 1583, 1654, 1676.

KERSH, Mrs. Ruth

- For relief of. S. B. 591, pages 1426, 1948, 2111, 2469, 2478, 2497.

LABOR ORGANIZATIONS

- Prohibiting denial of work because of affiliation with or non-affiliation with a labor organization. S. B. 200, page 138.

LAWRENCE, Dr. C. O.

- For relief of. S. B. 640, pages 1821, 1958, 2142, 2331, 2371, 2495.

LAWRENCE COUNTY

- Proposing amendment to constitution relative to imposing special school tax. H. B. 1010, pages 1741, 1873, 2131, 2214.
- Requiring Board of Revenue to pay for publishing local bills authorized by representative or senator. H. B. 1042, pages 1851, 1933, 2132, 2215.
- Fixing compensation of coroner. H. B. 688, pages 852, 922, 1189, 1272.

LAUDERDALE COUNTY

- Allowing additional deputy sheriff. H. B. 1068, pages 1968, 2069.
- Levying outside city limits of Florence, additional special privilege or license tax. H. B. 777, pages 1039, 1147, 1227, 1292.
- Abolishing county commissioners district, etc. H. B. 607, pages 645, 695, 798, 832.
- Providing additional duties and compensation for members of County Commissioners. H. B. 606, pages 647, 696, 799, 832.

LEE COUNTY

- Relative to tax assessor and collector. H. B. 1104, pages 2072, 2205, 2366, 2409.
- Abolishing fine and forfeiture fund. H. B. 1103, pages 2074, 2205, 2366, 2409.
- Creating and establishing court of Common Pleas in lieu of County Court and Juvenile Court. H. B. 678, pages 833, 936, 963, 1016, 1083, 1133.
- Creating office of county solicitor. H. B. 679, pages 837, 937, 962, 1016.

LEGISLATIVE REFERENCE SERVICE

- Making an appropriation for same. S. B. 658, pages 1944, 2046, 2210, 2434, 2465, 2497.
- Making additional appropriation for each of fiscal years 1949-50 and 1950-51. H. B. 1130, pages 2267, 2304.

LEGISLATURE

- Prohibiting members from accepting considerations or employment under State of Alabama. S. B. 1, pages 4, 46, 198, 211.
- Prohibiting appointment of members to any State board or commission or board of trustees. S. B. 2, pages 4, 46, 206, 211.
- Relative to publication of acts and journals of Legislature; imposing new duties on Secretary of Senate and Clerk of House, and Legislative Reference Service. S. B. 30, pages 9, 45, 67, 267, 303, 1195.
- Message from House of Representatives notifying Senate House is ready for transaction of business, page 12.
- Motion in writing relative to printing of Governor's budget, page 31.
- Motion in writing to print all appropriation bills introduced on Tenth Legislative day in Senate, page 422.
- Providing subsistence allowance to doorkeepers of legislature if not residents of Montgomery. S. B. 489, pages 913.
- Report of Legislative Committee on Dept. of Examiners of Public Accounts, page 70.
- Senate appointees named on Legislative Committee to investigate State Penal and Correctional System, page 1133.
- House appointees named on Legislative Committee to investigate State Penal and Correctional System, page 1132.
- Report of Committee on investigations of State Penal and Correctional system, filed. page 2072, 2381.
- Senate appointees named under S. J. R. 65, to investigate conditions at Fort Morgan, page 1689.
- Report of Committee to investigate conditions at Fort Morgan, page 1900.
- Message from House, ready to adjourn sine die, page 2488.

LICENSES

- Providing for licensing pole vendors by Dept. of Conservation S. B. 414, pages 501, 1584.
- Relative to driver's licenses. H. B. 279, page 644.
- Providing hunting and fishing licenses to certain residents over 65 years of age. S. B. 87, pages 22, 421, 1068.
- Fishing license for hook and line—trotline, or set line. S. B. 281, page 306.
- Fishing license for setline, trotline, etc in public fresh waters. S. B. 235, pages 403, 643.
- Regulating catching of crabs and providing license. S. B. 340, page 403.
- Fishing license for commercial and non-commercial crab and for catching of oysters. S. B. 341, page 404.
- Fishing license for persons using rod and reel and artificial bait. S. B. 490, pages 913, 1588.
- Relative to disposition of fishing licenses; who shall issue same and repeal of all laws in conflict. H. B. 676, pages 2134, 2210.

LICENSE PLATES

- Requiring replica or likeness of pine tree on same. H. B. 199, pages 203, 776.

LIMESTONE COUNTY

- Relative to term of office and election of Tax assessor. S. B. 259, pages 257, 314, 348, 468, 505, 1196.
- Relative to term of office and election of tax collector. S. B. 260, pages 258, 313, 347, 468, 505, 1196.
- Creating public law library for—. S. B. 261, pages 259, 313, 347, 468, 505, 1196.
- Relative to compensation of Chairman of Board of Revenue. S. B. 262, pages 261, 314, 349, 469, 505, 1196.

LIMESTONE COUNTY—Continued

Relative to Court of Record with county wide limited jurisdiction of criminal cases. S. B. 263, pages 262, 315, 350, 469, 505, 1196.

Relative to consolidation of Circuit Clerk and Clerk of Court, etc. S. B. 264, pages 266, 314, 350, 469, 539, 542, 1196.

Relative to compensation of Judge of Probate. S. B. 265, pages 268, 314, 348, 469, 506, 1196.

Relative to justices of peace and notaries public divested of jurisdiction in criminal cases. S. B. 418, pages 545, 641, 716, 859, 910, 1197.

For relief of Knox Biles, Fred Black, Marvin M. Black, John W. Shin-pock and James H. Dollar. H. B. 639, pages 707, 778, 864, 898.

Relative to meetings and compensation of Board of Education. H. B. 687, pages 851, 923, 961, 988.

LOBBYISTS

Requiring registration of same, and payment of registration fee; keeping accounts, records and financial statements concerning same. S. B. 59, pages 16, 417, 1748.

LOYALTY OATH

Requiring state employees to take same. S. B. 184, pages 135, 510, 1062, 2273, 2293, 2494, 2498.

LYNN, Roy

For relief of. H. B. 705, pages 1759, 1948, 2364, 2408.

MACON COUNTY

Relative to authorizing Board of Revenue to pay annually a lump sum amount in lieu of providing office space to Board of Education. H. B. 299, pages 282, 313, 426, 461.

Validating and confirming expenditures made by board of education. H. B. 298, pages 281, 313, 426, 461.

Amending act establishing Inferior Court. H. B. 424, pages 427, 453, 504, 544.

Providing for improving and surfacing certain road and streets. H. B. 1102, pages 2075, 2207, 2353, 2402.

MADISON COUNTY

For relief of R. C. Coble. S. B. 487, pages 912, 972, 1050, 1167, 1200, 2490.

Authorizing employment of full time clerk. H. B. 838, pages 1328, 1543, 1648, 1676.

For relief of R. C. Coble. H. B. 780, page 1047.

Relative to Board of Education. H. B. 901, pages 1461, 1650, 1676.

MAIL CARRIERS

Prohibiting carrying of passengers by—. S. B. 403, pages 497, 555, 718, 1123, 1130, 1198.

MANDAMUS

Providing that writ of mandamus shall lie and shall be appropriate to review the action of any board or commission or public official in declining to approve any bond required by law to be approved. H. B. 99, pages 129, 307.

MARENGO COUNTY

Imposing extra duties and providing additional compensation for Supt. of Education. S. B. 436, pages 624, 697, 780, 929, 966, 1197.

Fixing minimum age at which children may enter public school. S. B. 448, pages 685, 778, 825, 1086, 1115, 1197.

Imposing extra duties and providing additional compensation for Supt. of Education. S. B. 502, page 967, 1108.

MARENGO COUNTY—Continued

Creating Chief Forest Warden and District Forest Warden. S. B. 602, pages 1483, 1592, 1671, 1837, 1903, 2493.

Authorizing tax assessor to employ an assistant. H. B. 1046, page 1843.

Relative to tax collector. H. B. 1043.

MARION COUNTY

Authorizing employment of County Engineer. S. B. 385, pages 438, 517, 543, 558, 700, 742, 1196.

Providing expense allowance for Supt. of Education. H. B. 245, pages 191, 219, 286, 305.

Relative to levying additional tax for construction of County Public Clinic, Nurses Home, Etc. H. B. 409, pages 469, 518, 561, 623.

MARSHALL COUNTY

Providing for appointment of competent shorthand reporter. H. B. 646, pages 705, 779, 994, 1015.

MASKS

Proscribing wearing of masks in certain cases. S. B. 155, pages 39, 311, 620, 667, 680, 831, 859, 1197.

Making it a misdemeanor to enter premises of another to interfere with or prevent business while wearing mask. S. B. 455, pages 687, 1142.

MAYOR

Conferring title of Mayor on persons holding office of President of Commission of any city or municipality. H. B. 230, pages 204, 222, 351, 376.

MESSER, J. L.

For relief of—. S. B. 469, pages 764, 1024, 1875.

MINING SAFETY

Providing further for safety and health of persons engaged in mining, etc., and to repeal Chapt. 2, Secs. 30-166, Title 26, 1940 Code. S. B. 134, pages 30, 142, 379, 735, 908, 1065, 1117, 1197.

MOBILE

Requiring city of Mobile to reimburse county for hospital for mentally diseased. S. B. 624, pages 1658, 1710, 1890.

MOBILE COUNTY

Relative to boundaries of town of Chickasaw in—. S. B. 274, pages 272, 315, 346, 564, 597, 1196.

To provide funds for public libraries. S. B. 521, pages 1073, 1151, 1232, 1505, 1574, 1681, 2491.

Authorizing Board of Revenue and Road Commissioners to purchase uniforms for certain personnel. S. B. 522, pages 1074, 1152, 1233.

Authorizing Board of Revenue and Road Commissioners to purchase uniforms for certain personnel. H. B. 481, pages 1242, 1438, 1497, 1548.

To provide funds for public libraries. H. B. 840, pages 1244, 1437, 1487, 1548.

Making general laws as set out in Title 13, Chapt. 6, 1940 Code, applicable to Inferior Criminal Court. H. B. 478, pages 652, 695, 828, 898.

Imposing new duties and providing compensation for register of Circuit Court. H. B. 905, pages 1844, 2307, 2461, 2469, 2477.

Providing for additional duties and compensation for clerk of Circuit Court. H. B. 902, pages 1845, 2307, 2460, 2469, 2476.

MONOPOLIES

Regulating the creation of same. S. B. 179, pages 107, 225.

MONROE COUNTY

Fixing compensation of tax assessor for assessing and tax collector for collecting municipal ad valorem taxes, etc. H. B. 386, pages 359, 642, 717, 752.

MONTGOMERY

To alter and rearrange boundaries of city of—. S. B. 635, pages 1812, 1957, 2141, 2370, 2495.

To alter and rearrange boundaries of city of—. H. B. 1106, page 2082.

MONTGOMERY COUNTY

Relative to compensation of Judge of Probate and clerical help. S. B. 582, pages 1366, 1433, 1489, 1978, 1984, 2493.

Relative to salaries of officers of Juvenile Court and Domestic Relations. S. B. 528, pages 1104, 1152, 1234, 1388, 1423, 2491.

Authorizing appointment of a clerk for County board of revenue. S. B. 529, pages 1105, 1152, 1234, 1388, 1423, 2491.

For relief of Haskel Sankey, Jack and Emmett Dean. H. B. 669, pages 787, 888, 946, 1015.

Relative to appointment of a clerk of Board of Revenue. H. B. 874, pages 1457, 1545, 1652, 1676.

Relating to salaries of officers of the Juvenile and Court of Domestic Relations. H. B. 875, pages 1460, 1544, 1649, 1676.

Fixing compensation of tax assessor. H. B. 906, pages 1403, 1433, 1488, 1549.

Relative to extradition of persons wanted on a criminal charge. H. B. 940, pages 1521, 1590, 1673, 1695.

Relative to refunding to Mrs. W. G. Yelverton taxes paid erroneously. H. B. 1109, pages 2079, 2206, 2354, 2403.

MORGAN COUNTY

Relative to compensation of solicitor. H. B. 773, pages 1034, 1146, 1645, 1675.

Relative to expense allowance for Supt. of Education. H. B. 774, pages 1035, 1146, 1646, 1675.

Relative to compensation of members and chairman of Board of Revenue. H. B. 775, pages 1036, 1147, 1646, 1675.

Fixing term of office of members of County Board of Education. H. B. 811, pages 1160, 1214, 1648, 1676.

MOTOR DRIVEN CYCLES

Regulating operation of cycles on highways and providing for licenses. S. B. 129, pages 29, 316, 1156, 2337, 2441, 2444, 2479, 2497.

MOTOR FUEL

Regulating sale and delivery of same at retail. S. B. 505, pages 969, 1142.

Regulating sale and delivery of same at retail. H. B. 794, pages 1897, 1948.

MOTOR VEHICLES

Prescribing speed limits on streets and highways. S. B. 17, pages 7, 316.

Requiring certificate of title on same. S. B. 439, page 625.

Requiring registration of manufacturers of motor vehicles and payment of privilege license tax. S. B. 612, pages 1626, 1703.

Prohibiting persons under influence of intoxicating liquors from driving motor vehicles. H. B. 490, pages 1077, 1143.

MUNICIPAL CORPORATIONS

Relative to payment of a sum in lieu of taxes on real property owned by municipal corporations located outside of county in which it is situated. S. B. 10, page 6.

MUNICIPAL COURTS

Relative to assessment of solicitors fees as part of costs of appeals from judgments in said courts. S. B. 458, pages 692, 1022.

Providing for assessment of solicitors fees, etc. H. B. 697, pages 1288, 1583.

MUNICIPAL EMPLOYEES

Prohibiting acceptance of money, etc., from a defendant. H. B. 717, pages 1905, 1945.

MUNICIPALITIES

Authorizing incorporation of non-profit public corporations for purpose of promoting trade. S. B. 518, pages 1072, 1140, 1231, 2264, 2295, 2404, 2414, 2464, 2495, 2496.

Authorizing governing bodies of any municipality to provide recreational facilities in counties of 50,000 and not more than 78,500 inhabitants. S. B. 615, pages 1636, 1708, 1883, 2106, 2193, 2493.

NARCOTICS

Making introduction into or possession of in penal institutions a felony. H. B. 170, pages 194, 223, 365.

NOTARIES PUBLIC

Making it a felony to impersonate. S. B. 228, page 178.

Making it a felony to impersonate a notary. H. B. 214, pages 433, 1583, 2364, 2408.

NURSING

Providing a scholarship for advanced education in nursing. S. B. 787, page 135.

OBJECTIONS

Providing that it shall not be necessary to state grounds of objections in certain cases. S. B. 435, pages 592, 632, 943.

PARAPLEGICS

Relative to providing tax exemption of special homes for same. H. B. 285, pages 1170, 1587.

PARKING LOTS

Creation of parking lots by incorporated municipalities. S. B. 107, pages 24, 222.

PARTLOW SCHOOL

Making appropriation for construction of building. S. B. 240, page 213.

Making appropriation for construction of building. H. B. 327, page 2247.

PEDESTRIANS

Providing protection for blind or incapacitated pedestrians on public streets, roads and highways. H. B. 248, pages 202, 316, 2373, 2403, 2408.

PERSONAL PROPERTY

Relative to appointing a conservator for estate or property of a person while serving in armed forces. H. B. 13, pages 128, 225.

PETTUS, Ed.

For relief of (Montgomery County). H. B. 384, pages 358, 420, 457, 508.

PHENIX CITY

To alter boundaries of. H. B. 387, pages 360, 420, 456, 509.

PHOTOSTAT

Authorizing reproduction of any writing or record. Declaring correctness of same. H. B. 83, pages 129, 308.

Relative to providing that any county of 400,000 population or more, the clerk of circuit court, register in chancery, etc., may use photograph or photostat machines for recording records. H. B. 758, pages 1034, 1145, 1223, 1270.

PHOTOGRAPHIC RECORDS

Authorizing Commissioner of Public Welfare to make photographic records of books, records, as permanent records. H. B. 316, pages 902, 920.

PICKENS COUNTY

Relative to Board of Education. S. B. 329, pages 400, 454, 560, 700, 756, 1196.

Relative to Supt. of Education. S. B. 328, pages 399, 454, 560, 700, 742, 1196.

For relief of widow and minor heirs of Clinton Moore. H. B. 252, pages 192, 219, 322, 376.

PIKE COUNTY

Authorizing additional deputy sheriff. H. B. 574, pages 584, 641, 716, 755.

Imposing additional duties on deputy solicitor. H. B. 795, pages 1091, 1149, 1230, 1293.

PISTOLS

Relative to confiscation of and forfeiture, of persons violating Art. 2, Title 14, 1940 Code, as amended. S. B. 41, pages 11, 1143.

PLUMBERS

To allow governing bodies of municipalities to appoint journeyman and master plumbers. H. B. 440, page 477.

PLUMBERS EXAMINING BOARD

To create same in counties of 140,000 population. H. B. 977, pages 1609, 1868, 2109, 2150, 2217, 2251.

POLITICAL PARTIES

Relating to auditing the financial records, books and accounts of political parties and committees thereof. S. B. 78, page 21.

To regulate election of state or district officers of—. S. B. 82, pages 21, 521.

PRINTING

Relating to printing of acts and journals of legislature, additional duties for Secy. of Senate, Clerk of House and Legislative Reference Service. S. B. 30, pages 9, 45, 67, 267, 303, 1195.

PRISONS

Authorizing Dept. of Corrections and Institutions to purchase and install electric metal detectors. H. B. 469, pages 1184, 2308.

Providing for classification and training of prisoners employed in prison industries—establishing Governmental Use System. S. B. 124, pages 29, 519.

PROBATION OFFICERS

Providing offices for same. S. B. 209, page 173.

PROPERTY

Providing for disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously. S. B. 193, pages 136, 309, 1323, 2285, 2294, 2494.

PROXIES

Relating to execution of proxies in a fiduciary capacity. H. B. 89, pages 203, 303.

PUBLIC CORPORATIONS

Authorizing incorporation of non-profit public corporations in municipalities of 75,000 and not more than 100,000 population for purpose of promoting trade, etc. S. B. 519, pages 1072, 1151, 1644.

PUBLIC HEALTH

Relating to schools of nursing providing for examinations, regulations and registration of nurses, etc. H. B. 176, pages 194, 223, 2470, 2479.

PUBLIC ROAD AND BRIDGE FUND

Appropriation for road from St. Stevens to Old St. Stevens. S. B. 275, pages 291, 312, 1281.

PUBLIC WELFARE

To provide revenue for by increasing retail sales tax and providing for referendum. S. B. 12, page 6.

Creating a state public welfare trust fund. S. B. 144, pages 37, 227.

PUBLICITY AND INFORMATION, DIVISION OF

Creating same. Abolishing Division of Records and Reports, and repealing Act 253, H. 242, General Acts 1943. S. B. 442, pages 630, 1024, 1417, 1599, 1680.

RACING COMMISSION

Creation of and licensing of such commission. S. B. 483, pages 825, 1022, 1057, 1220, 1479, 2106.

RADIO

Relating to defamation by radio. S. B. 163, pages 40, 225.

RAILROADS

To provide lights for track motor cars. S. B. 177, page 106.

RANDOLPH COUNTY

Relative to Commissioners Districts. S. B. 631, pages 1807, 1957, 2151.

Relative to Commissioners Districts. H. B. 1093, pages 2089, 2204, 2365, 2409.

REAPPORTIONMENT

Reapportionment of representatives in Legislature. S. B. 272, page 272.

Reapportionment of representatives in Legislature. S. B. 285, pages 307, 516, 540.

Fixing number of senators and dividing state into senatorial districts. S. B. 416, pages 502, 1593.

REGISTRARS—BOARDS OF

Requiring registration of electors according to precinct, ward or district. S. B. 81, pages 21, 521.

Providing for additional meeting days of same, and making appropriation. S. B. 104, page 24.

Providing information of convictions to report names to disqualify for voting. S. B. 232, page 179.

Providing information of convictions by reporting names of persons convicted of crimes. H. B. 216, pages 383, 2210, 2367, 2408.

To provide for appointment of acting members of—. H. B. 950, pages 1747, 1944.

RETIREMENT SYSTEM—STATE EMPLOYEES

To provide for payment of employees who participate in same for employee who declined membership. S. B. 39, pages 11, 311, 1272.

Allowing credit for prior service. S. B. 268, page 270.

Relating to payment by employers who participate in same, under provisions of Sec. 12 of Act 515, approved July 9, 1945. H. B. 92, pages 296, 307, 1274, 1290.

RETIREMENT SYSTEM—TEACHERS

Relative to prior service credit and appropriation to cover employers liability contribution on account of membership service and prior service of such members. S. B. 37, page 10.

ROANOKE

To alter boundaries of. S. B. 373, pages 412, 455, 503, 655, 685, 1196.

RULES—SENATE

Rule 1, Allen, notice in writing to amend, page 65.

Rule 1, Allen motion in writing to amend, page 143.

Rule 1, Allen and Kendall, notice in writing to amend, page 950.

Rule 1, Allen and Kendall, motion in writing to amend, pages 952, 1118, 1185, 1219, 1310, 1374, 1425, 1487, 1598, 1703.

Rule 1, Swift, motion in writing to amend, page 2319.

Rule 9, Allen and Kendall, notice in writing to amend, page 949.

Rule 9, Allen and Kendall, motion in writing to amend, page 952.

Rule 16, notice in writing, Harvey, to amend, page 861.

Rule 16, motion in writing, Harvey, to amend, page 925.

Rule 25, Harvey, notice in writing to amend, page 861.

Rule 25, motion in writing, Harvey to amend, page 924.

Rule 27, Boutwell, notice in writing to amend, pages 228, 604.

Rule 27, Boutwell, motion in writing to amend, pages 227, 292, 662.

Rule 33, notice in writing, Henderson, to amend, page 32.

Rule 33, Henderson, notice in writing to amend, page 54.

Rule 33, Harvey, notice in writing to amend, page 925.

Rule 33, Harvey, notice in writing to amend, page 1069.

Rule 33, Harvey, motion in writing to amend, page 1185.

Rule 34, Harvey, notice in writing to amend, page 861.

Rule 34, Cater and Glover, notice in writing to amend, page 948.

Rule 34, Cater and Glover, motion in writing to amend, pages 952, 958.

Rule 34, Henderson, notice in writing to amend, page 2243.

Rule 34, Henderson, motion in writing to amend, page 2393.

Rule 42, Kendall, notice in writing to amend, page 738.

Rule 42, Kendall, motion in writing to amend, pages 797, 815.

Rule 42, Harvey, notice in writing to amend, page 861.

Rule 42, Harvey, motion in writing to amend, page 925.

Rule 49, Swift, notice in writing to amend, page 2047.

Rule 50, Harvey, notice in writing to amend, page 862.

Rule 50, Harvey, motion in writing to amend, pages 925.

Rule 58, Gullledge, notice in writing to amend, page

Rule 59, motion in writing, Harvey, to amend, page 924.

RULES

Committee appointed under S. R. 55 to revise Senate Rules, page 2157.

RUSSELL COUNTY

Relating to times for holding court. S. B. 473, pages 770, 915, 965, 1086, 1115, 1197.

Authorizing governing bodies to adopt rules and regulations for protection of county roads and bridges. H. B. 388, pages 361, 420, 456, 509.

To provide for a county commission. H. B. 1075, pages 1972, 2070, 2241, 2250.

To provide compensation for coroner. H. B. 1124, pages 2230, 2307, 2424, 2446.

SANKEY, HASKEL

For relief of. H. B. 669, pages 787, 888, 946, 1015.

SECRETARY OF STATE

Appropriation to office of—. S. B. 654, pages 1943, 2040.

SECURITIES

To regulate further the issue and sale of certain public securities. S. B. 133, page 30.

Regulating the issue and sale of certain public securities. S. B. 253, pages 1099, 1296.

Permitting registration of securities held by a corporate fiduciary. H. B. 90, pages 203, 308.

SEGREGATION AREAS

Specifying segregation areas for residences. S. B. 628, pages 1706, 1826.

SENATE

Motion of Hardwick requesting Rules Committee to report on Resolution relative to per diem, page 179.

Motion of Harvey requesting Rules Committee to report Resolution No. 18, pages 861.

Notice of Harvey to make motion relative to priority of bills on third reading, page 862.

Motion of Gulledge to re-refer H. B. 452, pages 1183, 1219, 1311.

Motion of Harvey requesting Rules Committee to report on his motion to amend Senate Rule 33, page 1314.

Rules Committee reporting special rule concerning H. B. 52, page 1961.

Motion of Russell regarding H. B. 52, page 1980.

Motion of Hardwick requesting Rules Committee to report on Governors appointments of Glen D. Vinson, Pardon and Paroles Board, page 2326.

Motion of Hardwick requesting Rules Committee to report on Governors appointment of Wm. P. Screws, ABC Board, page 2343.

Motion of Burnside requesting Rules Committee to report on all Governors appointments, page 2350.

Notice Langan to remove S. B. 483, from Adverse Calendar, page 1479.

Report of Committee of whole, page 2391.

Appeal from Ruling of Chair, page 2475.

Providing additional compensation for Secretary of., S. B. 597, pages 1427, 1487, 1595, 1721, 1748.

SCHOOLS

Relative to transportation of children. S. B. 190, pages 136, 221, 481.

Minimum standards prescribed for other schools to be used in trade schools, and same credit allowed. S. B. 577, page 1295.

SCHOOL TRUSTEES

Relative to qualifications and selection of same. S. B. 460, pages 629, 921.

SHEFFIELD

To alter boundaries of. H. B. 436, pages 473, 519, 562, 623.

To provide civil service system for police dept., fire dept. and city clerks office. H. B. 836, pages 1256, 1302, 1385, 1421.

SHERIFF

Relative to purchasing equipment, supplies and services. S. B. 218, pages 177, 631, 1069, 2347, 2397, 2495.

SHELBY COUNTY

Creating and establishing Board of Revenue and Control. H. B. 429, pages 566, 777, 826, 897.

SOLICITOR

Providing extra duties and compensation for same in counties having 23,000 to 25,000 inhabitants. S. B. 539, pages 1134, 1217, 1381, 2104, 2192, 2493.

SOUTHERN GOVERNORS CONFERENCE

Making appropriation to same for purpose of assisting their efforts to secure equalized freight rates. H. B. 8, page 2267.

SOUTHERN INDUSTRIAL INSTITUTE

Making appropriation for support and maintenance of. H. B. 191, pages 1747, 1827, 2438, 2457.

Making appropriation for support and maintenance of. S. B. 569, pages 1266, 1586.

STATE AGENCIES

Requiring annual financial reports of all offices except counties and municipalities. S. B. 66, page 17.

To regulate further use of monies received by. S. B. 168, pages 66, 140, 556, 599.

STATE BAR

Conferring additional power on Board of Commissioners of. H. B. 709, pages 1279, 1582, 1798, 1856.

STATE BOARD OF EDUCATION

Authorizing same to contract with Tuskegee and institutions within and without State for educational services for Alabama students S. B. 293, pages 378, 635, 1049, 2120, 2192, 2493.

Appropriation to Board of Education for establishment of Vocational Trade School at Napier Field. S. B. 576, page 1295.

Appointment by Governor of Ed. E. Reid as member of., page 2249.

Appointment by Governor of Rankin Fite, John M. Snodgrass as members of, page 2197.

STATE BOARD OF HEALTH

Providing for distributing profits of liquor stores to match federal funds under Hill-Burton Act for same. S. B. 588, pages 1425, 1487.

STATE BOARD OF PARDONS AND PAROLES

Appointment by Governor of Glen D. Vinson and member, page 2197.

STATE BUILDING COMMISSION

To abolish commission created by Act 128, H. 129, app. June 16, 1945, as of Oct. 1, 1949. S. B. 117, page 26.

Relative to establishment of. S. B. 227, page 178.

Merging building commission created under 1940 Code, Alabama Building Commission with 1945 Building Commission and making additional appropriation. S. B. 172, pages 66, 312, 802, 2276, 2286, 2288, 2494, 2497, 2498.

Making appropriation to same. H. B. 326, page 2246.

Election of House members. Page 152.

STATE DEPARTMENT OF CORRECTIONS AND INSTITUTIONS

Creating a State Department of Corrections and abolishing the State Dept. of Corrections and Institutions. S. B. 83, page 21.

Making appropriation to same. H. B. 395, pages 1986, 2209.

Establishing a reception center for the Dept.; a classification committee; a classification officer and providing for segregation of persons committed. S. B. 84, page 21.

Abolishing State Dept. of Corrections and Institutions, creating Dept. of Corrections. S. B. 534, pages 1133, 1585.

STATE DEPARTMENT OF EDUCATION

Communication from relative to appointment of Wm. H. Mitchell and same confirmed by Senate, page 2481.

Making appropriation for ordinary expenses. S. B. 249, page 214.

STATE DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS

Providing suitable office space for. S. B. 221, pages 177, 915.

To provide legal counsel for Chief Examiner of—. H. B. 913, pages 1908, 1948, 2437, 2458.

Making additional appropriation to for each of fiscal years 1949-50 and 1950-51. H. B. 1131, pages 2244, 2305, 2428, 2446.

STATE DEPARTMENT OF FINANCE

Making additional appropriation for fiscal years ending Sept. 30, 1950 and Sept. 30, 1951. H. B. 1135, pages 2246, 2305.

Making appropriations to Division of Service of—. S. B. 653, pages 1943, 2046, 2211, 2434, 2465, 2497.

Making appropriation to Division of Control and Accounts. S. B. 657, pages 1944, 2047, 2211, 2416, 2433, 2496.

STATE DEPARTMENT OF HEALTH

To make an additional appropriation to same for each of fiscal years 1949-50 and 1950-51. H. B. 1126, pages 2245, 2305.

Making an appropriation for control of rats and Brills Fever. S. B. 48, page 15.

Making an appropriation for construction of Laboratory Building. S. B. 159, page 39.

Making appropriation for 1949-50 and 1950-51. S. B. 651, pages 1942, 2046, 2212, 2423, 2465, 2497.

STATE DEPARTMENT OF INDUSTRIAL RELATIONS

Authorizing director to enter into leases for office space. S. B. 481, pages 824, 916, 1053, 2265, 2294, 2495.

Relative to director of, Employment Service and Unemployment Service to become public corporation for purpose of constructing office building. S. B. 482, pages 824, 916, 1052, 2268, 2295, 2495.

Relative to director of leasing office space in Montgomery with the Alabama State Employment Security Corporation. H. B. 729, pages 1076, 1140, 2267.

Authorizing director to become a public corporation for purpose of acquiring land from state for purpose of building an office building. H. B. 720, pages 1058, 1143, 2267.

Governor appoints E. C. Burns, Eugene M. Wells as members of Board of Appeals, page 2198.

STATE DEPARTMENT OF PUBLIC WELFARE

Making additional appropriation to same conditional upon condition of State Treasury and approval of Governor. S. B. 1007, 1756, 2209.

Relative to making photographic reproductions of books, records, papers or other documents. S. B. 211, pages 174, 226.

Amending Sec. 4, Title 49, 1940 Code, relative to commissioner and personnel. H. B. 393, pages 901, 920.

Relative to authorizing commissioner to make or have made photographic reproductions of books, records, papers, etc. H. B. 316, pages 902, 920.

STATE DEPARTMENT OF REVENUE

Providing for assistant commissioner of Revenue. S. B. 503, pages 969, 1145.

Creating office of Assistant Commissioner of Revenue. H. B. 801, pages 1277, 1374, 1893, 1959.

STATE DOCKS

Making an appropriation for same. S. B. 347, page 405.

STATE EMPLOYMENT SERVICE

Authorizing director to become a public corporation for purpose of acquiring land from state for the purpose of building an office building. H. B. 720, pages 1058, 1143, 2267.

STATE EMPLOYEES

Prohibiting acceptance of money or thing of value from a defendant. H. B. 917, pages 1905, 1945.

STATE FIRE MARSHALL

Relative to appointment of same for full time and being apart from Superintendent of Insurance. S. B. 28, pages 9, 423.

STATE FLOWER

Amending Sec. 8, Title 55 of Code, relative to. H. B. 10, pages 245, 300, 421.

STATE HIGHWAY DEPARTMENT

Making an appropriation for repair and construction of roads, bridges, etc. S. B. 378, page 415.

For relief of Grady Pepper. S. B. 284, pages 307, 418, 464, 899, 909, 1197.

To designate certain streets and roads as municipal connecting link roads. To provide for maintenance, construction, reconstruction, etc. of same. H. B. 414, pages 533, 634, 1275, 1291.

STATE HIGHWAY PATROL

Relative to membership in pension and retirement system. S. B. 49, page 15.

STATE MILITARY DEPARTMENT

To prevent officers and employees from drawing double pay. S. B. 290, pages 339, 417, 816.

STATE-OWNED AUTOMOBILES

Making it a misdemeanor to use a state-owned automobile for private use. S. B. 452, pages 686, 1139, 1875.

Relative to identification of same. S. B. 326, pages 399, 632, 1185, 2268, 2276, 2323, 2339, 2397, 2495.

STATE PARK

Making appropriation to division of same for development of Little Mountain State Park. S. B. 589, page 1426.

STATE PERSONAL PROPERTY

Fixing responsibility for maintaining control over. S. B. 223, pages 178, 915, 1410.

Fixing responsibility for maintaining control over. H. B. 264, pages 491, 633, 1001, 1075, 1130, 1348, 2348, 2390, 2435.

STATE PERSONNEL BOARD

Auditing and re-classifying of positions under civil service; authorizing Personnel Board and Personnel Director to employ expert assistance. S. B. 46, pages 14, 47, 68, 2432, 2465, 2497.

Governor appoints C. L. Bishop as member of Board, page 2197.

STATE SUPERINTENDENT OF INSURANCE

To provide for a full time State Fire Marshall separate from. S. B. 28, pages 9, 423.

STATE TREE

Designating and naming the Southern Pine as official State Tree, H. B. 172, pages 204, 274, 723.

STATE TRAINING SCHOOL FOR GIRLS

To make an appropriation for same. H. B. 1058, pages 1984, 2047.

Governor appoints Jas. H. Faulkner, Dr. A. E. Bayles, Mrs. J. H. Kelly, E. I. Roberts, Judge W. C. Warren, Mrs. Evelyn Hicks, Jerome Phillips, Mrs. H. C. Ryding, W. T. Wilson, Jr., as members of Board of Trustees, page 2198.

STATE TREASURER

Authorizing same to accept any grants or allocation of funds for aid in financing a minimum school program. H. B. 377, pages 2245, 2304.

SUMMERDALE

To alter boundaries of. H. B. 953, pages 1524, 1872, 2057, 2063.

SUPERNUMERARY JUDGES

Providing same for courts of record. H. B. 962, pages 1907, 1945.

Prescribing duties of, and providing for reasonable travel expenses. H. B. 75, pages 1907, 1945.

SUPREME COURT

Relative to performance of duties of Justice in case of absence. S. B. 283, pages 306, 631, 727, 860, 909, 1197.

Making an additional appropriation to same. S. B. 648, pages 1941, 2046.

Requiring certificate that justices have read records and briefs of parties in a case and concur in the decision rendered. S. B. 119, pages 26, 43, 102, 108.

SYLACAUGA

To alter boundaries of. S. B. 425, pages 574, 641, 717, 860, 910, 1197.

TAG—AUTO

Requiring Commissioner of Revenue to issue a permanent automobile tag. S. B. 243, page 213.

TALLADEGA COUNTY

For relief of B. A. Harrison. H. B. 250, pages 242, 312, 345, 394.

Fixing compensation of county coroner. H. B. 251, pages 243, 313, 345, 394.

To provide for a deputy sheriff. H. B. 993, pages 1661, 1712, 1887, 1960.

For relief of E. L. Moore. H. B. 1050, pages 1860, 1955, 2129, 2216.

TALLAPOOSA COUNTY

Fixing compensation of members of county board of education. H. B. 113, pages 125, 142, 205, 276.

Relating to compensation of members of county board of education. H. B. 114, pages 124, 142, 205, 276.

Amending act enlarging and extending jurisdiction of circuit court. H. B. 110, pages 123, 142, 205, 275.

TAX

To provide revenue for public welfare by increasing retail sales tax and providing for referendum. S. B. 12, page 6.

To exempt industrial plants used in education of students from ad valorem taxes. S. B. 100, page 23.

Relative to assessment of ad valorem taxes and claiming of home-stead exemptions. S. B. 215, pages 176, 228, 310, 344, 377, 469, 505, 1196.

Providing for assessment of ad valorem taxes and claiming of home-stead exemptions in counties of not less than 35,650 and not more than 35,774, inhabitants. S. B. 497, pages 930, 1139, 1374.

Relative to levying 5% tax on selling price of all spirituous liquors by ABC Board. H. B. 5, page 941.

Amending Sec. 385, Title 51, Code relating to deductions in computation of net income for income tax purposes of certain non-trade or non-business expenses. H. B. 94, pages 1076, 1144.

Exempting blind persons from State Sales Tax. H. B. 193, pages 901, 1024, 1685, 1694.

To provide that taxes levied now or hereafter by Chapt. 20, Art. 5, Title 51, Code, as amended, shall not be deductible as a tax from gross income in computing net income as defined by Chapt. 17, Title 51; to provide for severability and to repeal all laws in conflict. H. B. 196, page 296.

Requiring governing bodies of all counties of less than 140,000 and not more than 400,000 inhabitants to levy and collect tax on cigarettes; providing for disposition of revenue derived therefrom. H. B. 279, pages 239, 313, 346, 394.

Exempting certain mortgages and renewals from all ad valorem tax. H. B. 499, pages 1124, 1296.

TAX ASSESSORS

Relative to their duties; and requiring in certain instances their supplying information concerning assessment of real property. S. B. 67, page 17.

TEACHERS

Providing that all teachers with two years of college shall be paid at least \$1800.00 per year. S. B. 406, page 498.

THOMASTON

To alter boundaries of. H. B. 389, pages 362, 420, 457, 509.

TRACTOR GASOLINE TAX

Relative to refund of portion of tax when gas is used in tractors exclusively for agriculture. S. B. 47, page 14.

Relative to refund of a portion of tax when gasoline is used in tractors exclusively for agriculture. H. B. 35, pages 538, 554, 1352, 1362.

TRADENAMES

Requiring persons, corporations or associations of person conducting a business under an assumed name or tradename to register with the Secretary of State. H. B. 278, pages 1059, 1141.

TRINITY

To alter boundaries of. H. B. 569, pages 583, 639, 722, 755.

TROY

To alter boundaries of. H. B. 1122, pages 2236, 2307, 2413, 2446.

TRUST

Regulating trust receipts in connection with pledge of personal property. S. B. 173, pages 66, 516, 1003, 1351, 1361, 2490.

TUSCALOOSA

Altering corporate limits of. S. B. 608, pages 1578, 1642, 1722, 1976, 1985, 2493.

TUSCALOOSA COUNTY

For relief of Kathleen Mathews. S. B. 508, pages 1019, 1150, 1225, 1387, 1422, 2491.

Providing extra duties upon members of Board of Revenue and additional compensation therefor. S. B. 630, pages 1806, 1956.

Relative to Board of Education expending public school funds for office supplies, etc. for office of Superintendent of Education. S. B. 613, pages 1626, 1707, 1831, 2106, 2193, 2493.

Relative to salaries of clerks, tax collector. S. B. 566, pages 1213, 1301, 1377, 1504, 1577, 2492.

Providing further for salaries of clerks, to tax assessor. S. B. 564, pages 1210, 1302, 1378, 1504, 1577, 2491.

Amending Sec. 1, Act 130, approved June 12, 1935, relative to salary of tax collector, clerks, etc. S. B. 565, pages 1211, 1301, 1376, 1505, 1577, 2491.

Relative to employment of a stenographic secretary for circuit solicitor. S. B. 562, pages 1208, 1303, 1378, 1504, 1576, 2491.

Relative to salaries of clerks of Circuit Clerk. S. B. 561, pages 1207, 1303, 1378, 1504, 1576, 2491.

Relative to salaries and compensation of clerks, to the Judge of Probate. S. B. 558, pages 1203, 1300, 1375, 1503, 1575, 2491.

Relative to creation of civil service board. S. B. 468, pages 757, 888, 948, 1469, 1481, 2491.

Imposing new and extra duties on solicitor and providing additional compensation therefor. S. B. 538, pages 1134, 1267, 1315, 1503, 1575, 2491.

Authorizing supplementing of salary of circuit solicitor. S. B. 477, pages 771, 915, 1133.

Imposing new duties on members of Board of Revenue. H. B. 1088, pages 2090, 2206, 2352, 2401.

TUSKEGEE INSTITUTE

To make appropriation to State Superintendent of Education for contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents. H. B. 190, pages 1746, 1827, 2341, 2345, 2372.

UNIVERSITY OF ALABAMA—SCHOOL OF NURSING

Establishing and maintaining same and providing appropriation therefor. S. B. 15, page 7.

Establishing and maintaining same and providing appropriation therefor. S. B. 578, pages 1364, 1487, 1595, 2339, 2398, 2496.

UNIVERSITY OF ALABAMA—SCHOOL OF DENTISTRY

Making appropriation for the construction of building, etc. S. B. 575, page 1295.

UNEMPLOYMENT COMPENSATION

Relative to authorizing the director to become a public corporation for the purpose of acquiring land from the state for the purpose of building an office building, etc. H. B. 720, pages 1058, 1143, 2267.

VETERANS

- To provide educational benefits to children and widows of deceased veterans of World War II. H. B. 290, pages 1356, 1947, 2437, 2457.
- Veterans honorable discharge papers used as qualifications for registration in counties of 140,000-400,000 population. S. B. 623, pages 1658, 1710, 1890.

VICKSBURG MEMORIAL

- Making appropriation for memorial to Confederate dead at Vicksburg National Military Park. S. B. 426, pages 548, 638, 1347.
- Making appropriation for memorial to Confederate dead at Vicksburg National Military Park. H. B. 1, pages 715, 773, 1192, 1221, 1238.

VINZANT, J. W.

- For relief of. S. B. 498, pages 931, 972, 1190, 1605, 1625, 2492.

VOCATIONAL SCHOOL FOR GIRLS

- Making appropriation for maintenance of. S. B. 568, pages 1266, 1586.
- Making an appropriation for maintenance of. H. B. 44, pages 1747, 1827, 2430, 2455.

VOTERS

- Relating to registration and purgation of voters. S. B. 122, pages 27, 520, 723, 1167, 1199, 2490.
- Requiring Board of Registrars to maintain a file on persons convicted of crime which disqualify them from registering as voters. S. B. 226, page 178.
- Relative to issuance of voters identification card and making it a misdemeanor to alter card. S. B. 453, page 687.
- Purging voter lists in certain counties. S. B. 513, pages 1021, 1151, 1226.
- Relative to registration and purgation of voters; providing schedule meeting dates on basis of local requirements of Board of Registrars. H. B. 41, page 661.

WALKER COUNTY

- Imposing additional duties upon the County Superintendent of Education and providing additional compensation. H. B. 631, pages 336, 419, 488, 508.
- Relative to empowering county board of education to purchase office supplies, etc. H. B. 648, pages 704, 779, 1002, 1015.
- Changing basis of compensating tax collector. H. B. 932, pages 1878, 1951.
- Relative to tax assessor. H. B. 933, page 1879, 1951.
- Relative to coroner investigating deaths and to file certificate of death. H. B. 935, pages 1528, 1711, 1834, 1902.
- Relative to fixing term of office and election of tax collector. H. B. 937, pages 1530, 1713, 1835, 1902.
- To fix term of office and provide for election of tax assessor. H. B. 936, pages 1529, 1712, 1834, 1881, 1902.
- Amend Sec. 5 of act establishing board of revenue and to divide county into districts. H. B. 939, pages 1531, 1711.
- Changing basis of compensating Judge of Probate. H. B. 938, pages 1881, 1951.
- For relief of Etta Burkett on account of death of D. Frank Burkett. H. B. 999, pages 1665, 1714, 1887, 1960.

WARRIOR

- To alter boundary of—. H. B. 1099, pages 2238, 2305, 2460, 2475.

WASHINGTON COUNTY

Amending act relating to election of county superintendent. H. B. 111, pages 126, 142, 197, 212.

To abolish county court; to provide for transfer of all causes pending in said court to the Inferior Court of Washington County and to provide for the disposition of all unsatisfied judgments. H. B. 203, pages 152, 220, 287, 304.

Providing for election and terms of members of the county Board of Education. H. B. 202, pages 153, 219, 286, 304.

Creating and establishing the Inferior Court. H. B. 201, pages 154, 220, 287, 304.

Relative to providing clerk or clerks in office of tax assessor. H. B. 822, pages 1161, 1214, 1317, 1364.

Relative to creating office of treasurer. H. B. 821, pages 1162, 1215, 1317, 1363.

Relative to providing clerk or clerks in office of tax collector. H. B. 820, pages 1163, 1215, 1318, 1363.

WATER IMPROVEMENT ADVISORY COMMISSION

Making an appropriation for creation of same. S. B. 432, pages 591, 1949, 2212, 2434, 2465, 2497.

WATWOOD, J. A.

For relief of. H. B. 896, pages 1757, 1948, 2151, 2250.

WHITLEY, W. A.

For relief of. S. B. 13, pages 6, 216, 388, 1760, 1805, 2492.

WILCOX COUNTY

Creating county board of administration for said county. S. B. 614, pages 1627, 1707, 2138.

Relative to mediation of labor disputes. S. B. 388, pages 441, 518, 562, 783, 909, 1063, 1097, 1121, 1129, 1197, 1198.

WILLS

Permitting husband to dissent from will and take under laws of descent and distributions. S. B. 371, pages 412, 915.

WINERIES

Authorizing establishment of wineries for making of wines from fruits and berries grown within the State. S. B. 622, pages 1639, 1714.

WINSTON COUNTY

Creating office of county engineer. S. B. 652, pages 1942, 2067, 2213, 2416, 2433, 2496.

Providing salary and compensation of the Superintendent of Education. H. B. 234, pages 187, 220, 289, 305.

WITNESSES

Securing witnesses from without the State. S. B. 194, pages 137, 309.

WORKMENS COMPENSATION

Amend Secs. 261, 262, 269, 279, 283, 287, 289, 293, 299 and 301, Title 26, as amended, relating to—. S. B. 3, pages 4, 45, 157, 182, 297, 303, 1195.

Amending Secs. 279, 283, 287, 289, 293, Title 26, relating to—. S. B. 20, page 7.

Repealing Secs. 1, 6, 16, 17 of Act 661, 1939 Session and Secs. 261, 289, 299, 293, Title 26 of Code, relating to attorneys fees and medical and surgical fees under—. S. B. 25, page 8.

WORKMEN'S COMPENSATION—Continued

To supplement Title 26, Chapt. 5 by adding Sec. 2 A relating to liability of an employer for compensation by contraction of pneumonocosis as occupational disease. S. B. 27, page 9.

To supplement, expand and amend Art. 2 A, Chapt. 5, Title 26, and providing a period of limitation for filing suits or claims on disability or death from pneumonocosis. H. B. 82, pages 1357, 1431.

RESOLUTIONS**ADJOURNMENT**

- Relative to, H. J. R. 4, page 13.
- Relative to, H. J. R. 7, page 42.
- Relative to, S. J. R. 13, pages 102, 108.
- Relative to, S. J. R. 23, pages 182.
- Relative to, H. J. R. 26, pages 229, 231, 247.
- Relative to, H. J. R. 37, pages 324.
- Relative to, H. J. R. 41, pages 342, 275.
- Relative to, H. J. R. 45, pages 422, 430.
- Relative to, H. J. R. 51, page 498.
- Relative to, H. J. R. 58, pages 622, 535.
- Relative to, H. J. R. 60, page 599.
- Relative to, H. J. R. 64, page 661.
- Relative to, H. J. R. 66, page 715.
- Relative to, H. J. R. 72, page 784.
- Relative to, H. J. R. 80, page 941.
- Relative to, H. J. R. 82, page 985.
- Relative to, H. J. R. 83, pages 1032, 1033, 1057.
- Relative to, H. J. R. 87, page 1083.
- Relative to, H. J. R. 90, page 1158.
- Relative to, H. J. R. 93, page 1268.
- Relative to, H. J. R. 105, page 1313.
- Relative to, H. J. R. 109, page 1442.
- Relative to, H. J. R. 112, page 1571.
- Relative to, H. J. R. 114, pages 1606, 1607, 1643, 1656, 1677, 1683.
- Relative to, S. R. 66, page 1699.
- Relative to, H. J. R. 125, pages 1715, 1756.
- Relative to, H. J. R. 133, pages 1873, 1901.
- Relative to, H. J. R. 138, page 1976.
- Relative to, H. J. R. 144, page 2107.
- Relative to, H. J. R. 149, pages 2217, 2220, 2244, 2252.
- Relative to, H. J. R. 156, pages 2298, 2336, 2347, 2376.
- Relative to adjournment sine die. S. J. R. 104, page 2395.

ALABAMA COLLEGE

Relative to Legislature acting as joint hosts to Hon. Margaret Chase Smith with Alabama College, H. J. R. 31, page 245.

ALABAMA HOME COMING WEEK

Designating week beginning Jan. 23, 1950 as Alabama Home Coming Week, S. J. R. 92, pages 2322, 2340, 2396, 2496.

ALABAMA POLYTECHNIC INSTITUTE

Expressing thanks to officials and student body for football game with University of Alabama, S. J. R. 1, pages 32, 42, 65, 1195.

Accepting invitation to attending inauguration of Dr. Ralph B. Draughon as President. S. J. R. 3, pages 34, 69, 104, 1195.

AMERICAN LEGION

Authorizing certain departments to furnish float, etc., at 1949 annual convention, H. J. R. 86, pages 1085, 1181, 1237, 1271.

Authorizing certain departments to furnish float, etc., at 1949 annual convention. H. J. R. 151, pages 2220, 2455, 2468, 2475.

BELLINGRATH, Walter D.

Congratulating and thanking Mr. Bellingrath for outstanding contribution to Alabama's industrial, commercial and cultural life. H. J. R. 129, pages 1833, 1903.

BLACK BELT BARBECUE

Extending invitation to members of Legislature to attend. S. J. R. 15, pages 231, 247.

Extending thanks for entertainment. H. J. R. 29, page 233.

Thanking same for entertainment to Legislature. S. J. R. 20, page 334.

BLUE AND GRAY ASSOCIATION

Designating last Saturday of December in each year as Blue and Gray Day and extending invitation to all citizens of Alabama and other states to attend football game. S. J. R. 4, page 230.

BOULDIN, Hon. Virgil

Expressing grief in his passing and sympathy to family. S. J. R. 57, pages 1439, 1468, 1661, 2492.

BOUTWELL BILL

Condemning Steel City Star for unfair and unjust criticism of Honorable Albert Boutwell and expressing high esteem and respect for Senator Boutwell. S. R. 53, page 1304.

CALDWELL, Dr. John T.

Extending thanks for his achievements. H. J. R. 165, page 2333.

CALDWELL, Hon. Millard F.

Extending invitation for him to address joint session of Legislature. H. J. R. 30, page 232.

CIVIL RIGHTS

Memorializing Judiciary Committee of House of Representatives of United States to discontinue investigation of recent acts of violence by hooded men in Alabama. H. J. R. 73, pages 801, 1705.

Again memorializing Judiciary Committee and Civil Rights sub-committee to abandon further investigating acts of violence by hooded men in Alabama. H. J. R. 78, page 896.

CONFEDERATE SOLDIERS

Extending greetings to same. H. J. R. 8, page 110, 230, 276.

CONGRESS

Memorializing same in protest against all proposals for federalization of the National Guard. S. J. R. 9, pages 50, 230, 1383, 1424, 2491.

Expressing thanks to congress for efforts to prevent passage of Civil Rights program. H. J. R. 5, pages 63, 230, 276.

Requesting same to support Toby Bill, H. J. R. 21, pages 148, 197, 212.

Requesting consideration of flood control project on Alabama River. H. J. R. 28, pages 246, 386, 461.

Memorializing same to extend rights and privileges of Veterans of World War II under Title V of Servicemens Readjustment Act of 1944 S. J. R. 17, pages 290, 297, 303, 1195.

Urging Congress to take prompt action on measures implementing measures advocated in report of Hoover Commission. H. J. R. 44, pages 423, 489, 509.

Requesting Alabama Delegation in Congress to support legislation necessary to put into effect provisions of House Document 333 relative to dredging Pass Drury and Dauphin Island Bay. H. J. R. 43, pages 479, 509.

Requesting strengthening of United Nations and transforming it into Federal World Government. H. J. R. 24, pages 1109, 1131.

CONSTITUTION—UNITED STATES

Ratifying proposed amendment to same relating to terms of office of the President. H. J. R. 47, page 1757.

COOPER, Hon. W. H.

Extending sympathy to in loss of his wife. S. J. R. 75, pages 2047, 2103.

DRAUGHON, Dr. Ralph B.

Extending thanks for his achievements. H. J. R. 165, pages 2333, 2372.

Accepting invitation to attend inauguration as President of A. P. I. S. J. R. 3, pages 34, 69, 104, 1195.

DUNN, Miss Loula

Expressing regret at resignation and extending thanks for able service rendered as Commissioner of Public Welfare. H. J. R. 95, pages 1278, 1294.

EDUCATION

Requesting agreement of Boards of Trustees of colleges for state-supported higher education. H. J. R. 89, page 1388.

EXECUTIVE DEPARTMENT

Requesting Governor to submit specific and detailed recommendations covering needs of department. H. J. R. 48, pages 529, 535, 545.

FARMERS DAY

Urging Congress to establish a national day to be known as "Farmers Day." S. J. R. 103, pages 2394, 2403, 2431, 2496.

FLAG

Relative to raising of same. S. J. R. 72, page 1836.

FORT MORGAN

Relative to appointing committee to inspect condition of same. S. J. R. 65, pages 1643, 1655, 1697, 1698, 1900, 2492.

FOLSOM, Hon. James E.

Thanking Governor and Mrs. Folsom for entertainment. S. J. R. 59, pages 1445, 1473, 1661, 2492.

FREIGHT RATES

Requesting President of United States to recommend enactment of Legislation concerning equalization of freight rates. H. J. R. 9, pages 110, 230, 276.

GALLALEE, Dr. John M.

Extending thanks for his achievements. H. J. R. 165, page 2333.

GOODWYN, Hon. R. T., Jr.

Extending sympathy for loss of his father. H. J. R. 17, pages 111, 148.

GORGAS, William Crawford

Relative to inscription of his name in New York University Hall of Fame. H. J. R. 22, pages 229, 276.

GULLEDGE, Hon. W. A.

Thanking Senator Gullledge for peaches served to Legislature. S. R. 40, page 862.

HARPER, Hon. Malcolm H.

Expressing thanks to Mr. Harper for breakfast served to Senate. S. R. 46, page 957.

Extending thanks for breakfast S. R. 68, page 1721.

HANNA, Brigadier General Walter J.

Asking Senate to go on record as confirming appointment of—. S. R. 54, page 1312.

Requesting confirmation of. S. R. 93, page 2322.

HARRIS, Dr. Seale

Extending invitation to address a joint session of Legislature. H. J. R. 99, page 1347.

HEPBURN, Dean William M.

Expressing regret at resignation of Dean Hepburn, University of Alabama Law School, and extending appreciation for his contributions to the school. S. J. R. 61, pages 1571, 1598, 1625, 2492.

INSURANCE

Urging insurance companies to invest funds in Alabama's businesses and enterprises. H. J. R. 154, page 2249.

INZER, Hon. J. C.

Expressing thanks to for able and impartial performance of his duties as Lieutenant-Governor and President and Presiding Officer of the Senate. S. R. 85, page 2319.

KU KLUX KLAN

Requesting Attorney General Carmichael to furnish evidence in his possession to show that the Ku Klux is responsible for recent acts of violence. H. J. R. 79, page 973.

LEE COUNTY

Electing James O. Davis, Jr., as Judge of Court of Common Pleas of—. H. J. R. 91, pages 1171, 1272.

LEGISLATIVE AGENTS

Extending thanks for entertainment. S. J. R. 79, pages 2243, 2247, 2293, 2494.

LEGISLATIVE COMMITTEE ON PUBLIC ACCOUNTS

Re-electing Senators Fite, Cater, Coleman, Kendall and Patton as members of—. S. R. 12, page 101.

LEGISLATIVE COUNCIL

Re-electing Senators Mize, Hooton, Burnside and Clayton as members of—. S. R. 14, page 109.

LEGISLATIVE EMPLOYEES

Relative to employment of five additional clerks S. J. R. 7, pages 49, 69, 104, 1195.

Expressing thanks to Secretary of Senate, Clerk of the House and reading clerks and employees for able performance of duties. S. J. R. 87, pages 2320, 2332.

LEGISLATIVE REFERENCE SERVICE

Expressing appreciation to Hon. Chas. M. Cooper and to staff for helpful assistance to Legislature. S. J. R. 42, pages 862, 889, 912, 1197.

Expressing appreciation to same for outstanding and efficient service rendered Legislature. S. J. R. 86, pages 2320, 2332.

LEGISLATURE

- Joint session to hear address of Governor. S. J. R. 23, pages 424, 429.
- Relative to expense allowance of members of—. S. J. R. 11, pages 53, 180, 274.
- Appointing joint committee to notify Governor Legislature is now in session, and awaits any communication from him. H. J. R. 2, page 12.
- Relating to rooms on third floor of Capitol under supervision of Secretary of Senate and Clerk of the House. S. J. R. 2, pages 33, 69, 104, 1195.
- Resolving that all permanent records of the Legislature shall be written on typewriter beginning with next session of the Legislature. S. J. R. 6, pages 49, 69, 104, 1195.
- Requesting joint committee to study State's Penal and Correctional System. H. J. R. 57, pages 531, 749, 783, 895, 988, 1132, 2072.
- Requesting recess of Legislature for purpose of Senate studying appropriation bills. S. J. R. 62, page 1594.
- Appointing five lawyers from Senate and five from House to study laws pertaining to descent and distribution. S. J. R. 63, page 1595.
- Relative to third reading and engrossment of H. B. 52, S. R. 74, page 1984.
- Relating to lists of bills introduced in Legislature. S. J. R. 78, page 2137.
- Appointing committee to wait upon and escort Hon. M. F. Caldwell to Joint Session. H. J. R. 33, page 274.
- Relieving doorkeepers of two Houses of responsibility of Codes and Acts furnished to members. H. J. R. 157, pages 2298, 2339.
- Discharging Committee created under H. J. R. 16, 1947. H. J. R. 176, pages 2454, 2463.
- Appointing Committee to wait upon Governor to inform him the Legislature stands ready to adjourn sine die. H. J. R. 182, pages 2485.
- Extending thanks for berries from Chilton County. H. J. R. 39, page 324.
- Thanking Mobile Delegation for entertainment. H. J. R. 38, page 323.
- Thanking Mobile Delegation for dinner served to. S. J. R. 19, pages 323, 342.
- Thanking Russell County delegation for entertainment. S. J. R. 58, pages 1440, 1468, 1661, 2492.
- Naming Senate Bill 123. S. J. R. 16, pages 232, 276, 303, 1195.
- House requests return of H. B. 333. H. J. R. 24, page 437.
- Naming Senate Bill 3. S. J. R. 26, pages 538, 564, 597, 1196.
- Naming Senate Bill 215. S. J. R. 27, pages 538, 564, 597, 1196.
- Naming S. B. 34. S. J. R. 28, page 555.
- Naming S. B. 245. S. J. R. 30, pages 594, 661, 699, 743, 1196.
- Naming H. B. 172. S. J. R. 32, pages 725, 733, 744, 1196.
- Naming Senate Bills 359 and 360. S. J. R. 33, pages 725, 733, 744, 1196.
- Naming S. B. 134. S. J. R. 35, pages 750, 782, 911, 1197.
- Naming H. B.'s 582 and 583. S. J. R. 39, pages 817, 831, 911, 1197.
- Naming Senate Bill 283. S. J. R. 43, pages 932, 967, 1197.
- Naming Senate Bills 410 and 411. S. J. R. 48, pages 1082, 1087, 1116, 1197.
- Naming House Bill 264. S. J. R. 49, page 1084.
- Naming Senate Bill 122. S. J. R. 51, pages 1184, 1221, 1278, 2490.
- Naming S. B. 510. S. J. R. 56, pages 1314, 1350, 1460, 2491.
- Naming S. B. 148. S. J. R. 69, pages 1828, 1833, 1902, 2492.
- Naming S. B. 468. S. J. R. 70, pages 1828, 1833, 1902, 2493.

LEGISLATURE—Continued

- Naming S. B.'s 4 and 6. S. J. R. 73, pages 1980, 2238, 2246, 2271, 2494.
 Naming S. B.'s 138, 139 and 140. S. J. R. 76, pages 2122, 2149, 2191, 2494.
 Naming S. B. 552. S. J. R. 77, pages 2137, 2149, 2191, 2494.
 Naming S. B. 85. S. J. R. 80, pages 2275, 2283, 2293, 2494.
 Naming S. B. 482. S. J. R. 81, pages 2275, 2283, 2293, 2494.
 Naming S. B. 481. S. J. R. 82, pages 2275, 2283, 2293, 2494.
 Naming S. B. 554. S. J. R. 83, page 2287.
 Naming Senate Bill 326. S. J. R. 91, pages 2322, 2332, 2396, 2496.
 Naming Senate Bill 634. S. J. R. 94, pages 2335, 2346, 2396, 2496.
 Naming Senate Bill 635. S. J. R. 95, pages 2335, 2346, 2396, 2496.
 Naming Senate Bill 636. S. J. R. 96, pages 2335, 2346, 2396, 2496.
 Naming Senate Bill 578. S. J. R. 99, pages 2350, 2374, 2396, 2496.
 Naming Senate Bill 400. S. J. R. 100, pages 2378, 2399, 2410, 2496.
 Naming House Bill 191. S. J. R. 105, pages 2447, 2448, 2480, 2497.
 Naming Senate Bill 463. S. J. R. 106, pages 2457, 2459, 2480, 2497.
 Naming Senate Bill 280. S. J. R. 107, pages 2457, 2459, 2480, 2497.
 Naming House Joint Resolution 151. S. J. R. 108, pages 2466, 2470, 2478, 2497.
 Naming H. B.'s 110, 113 and 114. H. J. R. 32, pages 232, 623.
 Naming H. B. 2. H. J. R. 35, pages 335, 377.
 Naming House Bill 59. H. J. R. 53, pages 531, 545.
 Naming Senate Bill 115. H. J. R. 55, pages 531, 545.
 Naming House Bills 223, 224, and 225. H. J. R. 68, pages 737, 755.
 Naming House Bill 264. H. J. R. 84, pages 1076, 1131.
 Naming House Bill 92. H. J. R. 97, pages 1283, 1294.
 Naming House Bill 414. H. J. R. 100, pages 1312, 1364.
 Naming House Bill 231. H. J. R. 101, pages 1312, 1364.
 Naming House Bills 381, 382 and 383. H. J. R. 102, pages 1312, 1364.
 Naming House Bill 956. H. J. R. 124, pages 1714, 1830.
 Naming House Bill 453. H. J. R. 126, pages 1715, 1756, 1830.
 Authorizing Secretary of Senate and Clerk of House to employ 8 additional clerks. H. J. R. 130, pages 1830, 1836, 1866.
 Naming House Bill 35. H. J. R. 134, pages 1894.
 Naming S. B.'s 4 and 6. H. J. R. 141, page 1987.
 Naming H. B. 351. H. J. R. 143, pages 2072, 2137.
 Naming H. B. 487. H. J. R. 145, pages 2122, 2216.
 Naming H. B. 451. H. J. R. 146, pages 2150, 2251.
 Naming H. B. 604. H. J. R. 147, pages 2148, 2251.
 Naming H. B. 380. H. J. R. 158, pages 2299, 2339.
 Naming H. B.'s 769, 770 and 771. H. J. R. 162, pages 2300, 2339.
 Naming H. B. 635. H. J. R. 166, pages 2332, 2372.
 Naming H. B. 190. H. J. R. 169, pages 2348, 2403.
 Naming H. B. 1005. H. J. R. 170, pages 2377, 2409.
 Naming H. B. 784. H. J. R. 172, pages 2413, 2446.
 Naming S. B. 160. H. J. R. 173, pages 2413, 2446.
 Naming H. B. 255. H. J. R. 174, pages 2435, 2455.
 Naming H. B. 808. H. J. R. 175, pages 2436, 2455.
 Naming H. B. 647. H. J. R. 177, pages 2454, 2463.
 Naming H. B. 385. H. J. R. 178, pages 2454, 2463.
 Naming H. B. 873. H. J. R. 180, pages 2454, 2463.
 Naming H. B. 290. H. J. R. 181, pages 2470, 2477.

MACON, Hon. Ralph

Commending him for his efficiency and in performing duties as reading clerk. S. R. 44, page 923.

MAXWELL FIELD

Relative to making same "West Point of the Air." S. J. R. 64, pages 1642, 1655, 1697, 2492.

McCALL, Mrs. Johnnie

Expressing thanks to for courteous service extended by her and telephone company to Legislature. S. J. R. 88, pages 2321, 2332.

MEDICINE, Socialized

Requesting Congress to use means to defeat same. H. J. R. 16, pages 111, 532, 545.

MITCHELL, Mrs. Linnie Holden

Extending sympathy for loss of husband. S. J. R. 22, pages 379, 385.

MITCHELL, Margaret

Deploing loss and expressing sympathy to family of. H. J. R. 139, pages 1977, 2339.

MONTGOMERY, City of

Thanking for hospitality shown members of Legislature. S. J. R. 31, pages 656, 699, 743, 1196.

NATION, Herbert R.

Expressing thanks to Mr. Nation and Brown Printing Company for outstanding service to Legislature. S. J. R. 101, pages 2389, 2403.

NATIONAL GUARD

Memorializing Congress, the President and Secretary of Defense of the United States in protest against all proposals for federalization of same. S. J. R. 9, pages 50, 230, 1383, 1424, 2491.

PUBLIC WELFARE

Memorializing authorities of same to foster and attain more local interest in matters pertaining to welfare of old people, etc. H. J. R. 150, page 2285.

QUARLES, Hon. George

Extending sympathy to in loss of his mother. S. R. 8, page 50.

REGIONAL EDUCATION

Giving legislative approval to compact entered into by State of Alabama and other Southern States relative to development of Regional Educational Services and Schools. H. J. R. 42, pages 1026, 1031, 1079.

ROBERTS, Hon. Nathan M.

Expressing thanks to for breakfast served to Senate. S. R. 46, page 957.

Extending thanks for breakfast served to Senate. S. R. 68, page 1721.

ROOSEVELT, Hon. Franklin Delano

Memorializing Congress to dedicate January 30, birthday of President Roosevelt, as a National Holiday. S. J. R. 52, pages 1217, 1238, 1278, 2490.

SAWYER, Hon. Charles, Secretary of Commerce

Extending invitation to address joint session of Legislature. H. J. R. 115, page 1611.

SEGREGATION

Memorializing President to modify his executive order relating to segregation in armed forces. H. J. R. 69, page 781.

SENATE

- Special Order. S. J. R. 29, page 588, 593.
- Special Orders. S. R. 36, page 780.
- Relative to dissolving present special orders. S. R. 41, page 862.
- Special Orders. S. R. 50, pages 1125, 1180, 1264, 1269, 1311.
- Special Orders. S. R. 60, pages 1478, 1534.
- Special Orders. S. R. 67, page 1703.
- Special Orders. S. R. 84, page 2310.
- Special Orders. S. R. 98, page 2336.
- Requesting Committee on Agriculture to report out S. B. 47. S. J. R. 18, pages 295, 861.
- Requesting Local Legislation Committee to Report H. B. 542. S. R. 45, page 924.
- Creating Committee to study and revise Standing Senate Rules. S. R. 55, pages 1313, 1839, 2157.
- Relative to Senate resolving itself into Committee of the Whole. S. R. 89, pages 2321, 2385.

SOUTHERN REGIONAL EDUCATION

- Entering into agreement with Southern States regarding same. S. J. R. 21, page 366.

STATE BUILDING COMMISSION

- Re-electing Senators Hughes, Quarles, Boutwell and Lowe as members of—. S. R. 5, page 49.

STATE BAR

- Invitation extended to Legislature to attend annual meeting at Mobile. H. J. R. 116, pages 1611, 1706.

STRAWBERRY FESTIVAL

- Requesting Joint Session of Legislature to receive invitation to attend. H. J. R. 3, page 12.

SUPREME COURT

- Requesting opinion from relative to interpretation of Senate Rules 25, 27 and 9. S. R. 10, pages 52, 113.
- Requesting opinion on S. B. 385. S. J. R. 25, pages 534, 543.
- Requesting opinion on S. B. 285. S. R. 34, page 750.
- Requesting opinion on S. B. 279. S. R. 37, page 799.
- Requesting opinion relative to constitutionality of Senate Committee substitute for H. B. 232. S. R. 47, pages 1082, 2282.
- Requesting opinion regarding delivery of bills to Governor. S. R. 90, pages 2321, 2344.
- Requesting opinion relative to Governor's action on H. B. 52. S. J. R. 97, page 2335.
- Withdrawing request for opinion relative to delivery of bills to Governor, requested under S. R. 90. S. R. 102, page 2392.

SWIFT, Hon. G. R.

- Extending sympathy to in loss of his brother. S. R. 8, page 50.

THOMAS, Frank W.

- Extending appreciation to for outstanding work as coach and athletic director and hoping for his speedy recovery from illness. H. J. R. 122, pages 1660, 1706.

TURNER, Mr. and Mrs. Myron.

- Appointing same as goodwill ambassadors from State to France. H. J. R. 34, pages 284, 292, 342.

UNIVERSITY OF ALABAMA

Expressing thanks to officials and student body for football game with A. P. I. S. R. 1, pages 32, 42, 65, 1195.

VETERANS

Memorializing Congress to extend rights and privileges of Veterans of World War II under Title V of Servicemen's Readjustment Act of 1944. S. J. R. 17, pages 290, 297, 303, 1195.

VETERANS OF FOREIGN WARS

Authorizing certain state departments to furnish floats, etc. to annual encampment of—. H. J. R. 86, pages 1085, 1181, 1237, 1271.

Authorizing certain state departments to furnish floats, etc. to annual encampment of—. H. J. R. 151, pages 2220, 2455, 2468, 2475.

WALTON, Hon. Will O.

Extending thanks for enjoyable discourse to Senate. S. R. 71, page 1836.

WATER IMPROVEMENT ADVISORY COMMISSION

Requesting same to form report to Legislature. H. J. R. 38, pages 799, 815.

